

## CALIFORNIA COASTAL COMMISSION

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**Prepared August 25, 2010 (for September 15, 2010 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, District Manager  
Madeline Cavalieri, Coastal Planner

**Subject: Minor Amendment Determination for City of Grover Beach Local Coastal Program Amendment Number 1-10 (Permitting Procedures)**

City of Grover Beach Proposed Amendment

The City of Grover Beach is proposing to amend the certified Local Coastal Program (LCP) Implementation Plan (IP) to eliminate the requirement for a general development plan in several zoning districts, and to make changes to the use permit requirements for various uses in the commercial districts; see Exhibit A for the City Council's Resolution and see Exhibit B for the cross-through and underline proposed changes.

Minor LCP Amendment Determination

Pursuant to California Code of Regulations (CCR) Section 13555, the Executive Director may determine that a proposed LCP amendment is "minor". CCR Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments include:

*CCR Section 13554(a). Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.*

If the Executive Director determines that an amendment is minor, that determination must be reported to the Commission. If one-third of the appointed members of the Commission request that it be processed as a major LCP amendment, then the amendment shall be set for a future public hearing; if one-third of the appointed members of the Commission do not object to the minor LCP amendment determination, then the amendment is deemed approved, and it becomes a certified part of the LCP immediately (in this case, on September 15, 2010).

**The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is minor.**

The proposed amendment would eliminate the requirement for general development plans in several zoning districts, including: the coastal planned single family residential district; the mixed use development district; the planned commercial district; the coastal planned commercial district; and the



planned community development district. Under the existing certified LCP, project applicants in these districts must obtain two discretionary approvals, a general development plan approval and a specific development plan approval, in addition to a coastal development permit approval for projects located in the coastal zone. The proposed amendment would consolidate the general development plan approval and specific development plan approval into one approval, but it would not impact the requirements or procedures for coastal development permits.

In addition, the proposed amendment would also make minor changes to the types of commercial uses allowed in the City's commercial districts. The LCP includes seven different commercial districts, and the LCP identifies the uses that are allowed in each district as well as the level of City permit processing associated with each. Pursuant to the LCP, uses can be: (1) permitted; (2) permitted subject to a use permit; (3) permitted subject to an administrative permit; (4) permitted subject to a temporary use permit; or (5) not permitted. Most of the proposed changes would reduce the permitting requirements from use permit to administrative use permit or permitted use. The amendment would also make changes to several specific subtypes of commercial uses within commercial zoning districts (e.g., retail bakeries and overnight accommodations would be added within certain commercial districts). Such changes would not affect CDP requirements associated with them.

#### California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. The City exempted the proposed amendment from environmental review under CEQA. This report has discussed the relevant coastal resource issues with the proposal, and has concluded that the proposed LCP amendment is not expected to result in any significant adverse impact on the environment. Thus, it is unnecessary for the Commission to suggest modifications to the proposed amendment to address adverse environmental impacts because the proposed amendment, as submitted, will not result in any significant environmental effects for which feasible mitigation measures would be required.

#### Coastal Commission Concurrence

The Executive Director will report this minor LCP amendment determination, and any comments received on it, to the Coastal Commission at its September 15, 2010 meeting at the Wharfinger Building at 1 Marina Way in Eureka. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Madeline Cavalieri at the Central Coast District Office in Santa Cruz. If you wish to comment on and/or object to the proposed minor LCP amendment determination, please do so by September 10, 2010.

#### Procedural Note - LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on August 10, 2010. It is IP only and the 60-day action deadline is October 9, 2010. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until October 9, 2010 to take a final action on this



LCP amendment.

Exhibits:

Exhibit A: Board of Supervisor's Resolution

Exhibit B: Proposed Changes



**RESOLUTION NO. 10-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, AMENDING THE CITY'S LOCAL COASTAL PROGRAM AND AUTHORIZING SUBMITTAL OF THE AMENDMENT TO THE STATE COASTAL COMMISSION**

**WHEREAS**, in October 1981 the State Coastal Commission first certified the Local Coastal Program for the City of Grover Beach; and

**WHEREAS**, on January 12, 2000, the State Coastal Commission re-certified the Local Coastal Program for the City of Grover Beach; and

**WHEREAS**, on June 21, 2010 the City Council adopted Ordinance No. 10-04 which amended Article IX, Planning and Zoning Regulations, Parts 6, 21, 22, and 27 to eliminate the requirement for General Development Plans and revising the Commercial Use Table; and

**WHEREAS**, the City Council has determined that portions of the Zoning Ordinance amendment would affect areas within the jurisdiction of the City's Local Coastal Program; and

**WHEREAS**, on June 21, 2010 the City Council received for review and consideration a Staff Report in connection with this proposed Amendment to the Local Coastal Program; and

**WHEREAS**, the City Council finds the proposed Amendment to be consistent with the Local Coastal Program; and

**WHEREAS**, this amendment to the Local Coastal Program (attached as Exhibit A) is required to be submitted to the Coastal Commission for review and certification.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Grover Beach **DOES HEREBY ADOPT** the amendment to the Local Coastal Program as set forth in Exhibit A.

**AND BE IT FURTHER RESOLVED** as follows:

The City of Grover Beach intends to continue to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

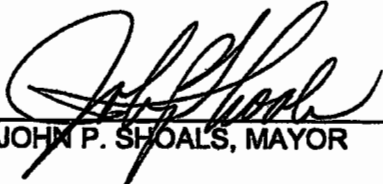
The Local Coastal Program Amendment will take effect upon certification by the State Coastal Commission.

On motion by Council Member Bright, seconded by Council Member Peterson, and on the following roll-call vote, to wit:

<b>AYES:</b>	Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.
<b>NOES:</b>	Council Members – None.
<b>ABSENT:</b>	Council Members – None.
<b>ABSTAIN:</b>	Council Members – None.

Resolution No. 10-34  
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the foregoing Resolution was **PASSED, APPROVED, and ADOPTED** at a regular meeting by the City Council of the City of Grover Beach, California this 21st day of June, 2010.

  
\_\_\_\_\_  
JOHN P. SHOALS, MAYOR

ATTEST:

  
\_\_\_\_\_  
DONNA L. McMAHON, CITY CLERK

**COASTAL PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT  
OR "C-P-R-1" DISTRICT**

**Sec. 9106.1. Purpose. (C-P-R-1)**

The Coastal Planned Single Family Residential District is intended to provide a low-intensity single family detached clustered residential development in a manner which will maximize protection of environmental, visual and archaeological resources within and adjacent to the boundaries of the District by minimizing removal or disturbance of native vegetation, controlling grading, erosion, and run-off and sensitively siting and designing structures to avoid impacting archaeological deposits and reducing the visual impact on surrounding and adjacent areas.

**Sec. 9106.2. Architectural Approval Plan Required. (C-P-R-1)**

~~Architectural Approval~~ A general development plan and specific development plans shall be required of the developer and approved as required herein before any development shall take place in any area. The ~~development~~ required general and specific plans shall implement and be responsive to the policies and concerns of the Local Coastal Program's various components and sections, and the development standards listed in various portions of this Part.

**Sec. 9106.3. Elements of the General Development Plan. (C-P-R-1)**

Said General Development Plan shall, by means of charts, maps and text material, address the following:

TOPIC	EXISTING	PROPOSED
<del>(A) Land Use</del>	X	X
<del>(B) Streets</del>	X	X
<del>(C) Topography</del>	X	X
<del>(D) Groundcover and vegetation</del>	X	X
<del>(E) Utilities, public services</del>	X	X
<del>(F) Economic impact analysis</del>	X	X
<del>(G) Drainage patterns</del>	X	X
<del>(H) Environmentally Sensitive Areas</del>	X	X
<del>(I) Archaeologically Sensitive Area</del>	X	X

In addition to the subject property, said General Development Plan shall, for purposes of information, also include adjacent areas for a reasonable distance therefrom.

**Sec. 9106.34. Application Requirements Elements of Specific Development Plans. (C-P-R-1)**

Upon approval of said general development plan by the City Council, after receipt of recommendations thereon from the Planning Commission, specific development plans in conformity with the general development plan may be presented for approval to the Planning Commission. Said Architectural Approval applications plans may be presented for all parts of the Coastal Planned Single Family Residential area and shall include all of the following items:

- (A) Grading plans.
- (B) Landscaping plans.

- (C) Utilities plans, plans for public improvements.
- (D) Erosion control plans.
- (E) Sample building elevations and Information showing how buildings and roads will be fitted to their respective sites with a minimum of grading and vegetation removal.
- (F) Subdivision plans.
- (G) Proposals relative to land use, parking, building heights, building site areas in general conformity with, or in excess of minimum requirements set forth in this section with relation to land uses corresponding with land uses proposed.
- (H) Mitigation of potential significant environmental impacts.

Sec. 9106.45. Application Approval Adoption of Development Plans. (C-P-R-1)

- (A) An Architectural Approval application General development plans shall be presented to the Planning Commission for review at a public hearing. The Planning Commission shall indicate by resolution their recommendation to approve, conditionally approve, or disapprove the general development Architectural Approval application plan. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended by mutual consent of the Planning Commission and the developer. The Planning Commission recommendation shall be reported to the City Council and to the developer.

Upon receipt of said report, the City Council shall consider the general development plan at a public hearing. The City Council may approve, conditionally approve, or disapprove the general development plan.

- ~~(B) Upon approval of the general development plan by the City Council, specific development plans in conformity with the general development plan may be presented for approval. Specific development plans shall be considered by the Planning Commission at a public hearing in the same manner prescribed in Section 9144.5 for Use Permits. The Planning Commission shall indicate by resolution their decision to approve, conditionally approve, or disapprove specific development plans. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer.~~
- ~~(C) General development plans and specific development plans may be amended in the same manner as they are adopted, provided that no specific development plan may be amended which also requires an amendment to the general development plan until the latter has been amended.~~

Sec. 9106.56. Effect. (C-P-R-1)

No construction or grading shall be done until the said plans have been adopted as outlined herein provided, however, that minor grading which is necessary for the safety of the existing use of any developed land in the Coastal Planned Single Family Residential District shall be allowed as a matter of right and subject only to City Ordinances pertaining to grading. Any and all other construction and/or grading shall be consistent with the policies and concerns of the Local Coastal Program's various components.

Sec. 9106.67. Uses Permitted (C-P-R-1)

Clustered single-family detached dwelling units and Coastal Open Space District uses shall be allowed in any Coastal Planned Single Family Residential District subject to Architectural Approval provided such uses conform to the approved General Development Plan for the said Coastal Planned Single Family Residential District and to the regulations, conditions and restrictions imposed by any Coastal Permit approving a Specific Development Plan as required by Section 9106.4.

Sec. 9106.78. Maximum Allowable Height. (C-P-R-1)

- (A) Within the Coastal Planned Single Family Residential District, a main structure shall not exceed two (2) stories and at the highest point of the lot at the building's edge the maximum height shall not exceed fifteen (15) feet while at the lowest point of the lot at the building's edge the maximum height shall not exceed twenty-five (25) feet (see Figure 1 at Section 9107.5); provided that upon securing Architectural Approval the height may be increased to an average height of twenty-five (25) feet.

If a site plan review for a building over fifteen (15) feet is initiated under this Section, such review shall include a determination as to whether the views from adjacent properties are substantially or needlessly obstructed by such project. All owners of record within three hundred (300) feet as listed in the latest Assessor's Parcel Book shall be notified of any hearings under this Section by first class mail.

The height of any building shall be measured from the natural grade at the edge of the building to the topmost point of the roof. Natural grade shall be determined by the Community Development Department through the use of the best available information. In addition, the elevations of all structures shall be consistent with policies of the Visual Resource Component of the Local Coastal Program.

- (B) Accessory buildings shall not exceed fourteen (14) feet in height.

**Sec. 9106.89. Minimum Building Site. (C-P-R-1)**

- (A) In Planned Unit Development subdivisions there shall be a minimum of 6,000 square feet per dwelling unit exclusive of roads or open space dedications; however, the number of units is restricted to a maximum of four (4) units per gross acre.
- (B) The maximum number of dwelling units allowed shall be determined by the evaluation of general and specific plans that clearly demonstrate that the proposed development has been sited and designed to prevent impacts which would significantly degrade adjacent environmentally sensitive habitats and that such proposed developments shall be compatible with the continuance of the adjacent environmentally sensitive habitat areas. Reasonable mitigation shall be required to insure the protection and/or enhancement of said areas.

The maximum number of dwelling units is the same as the number of lots (i.e., no more than one dwelling unit per lot) shown on the approved development plan exhibit found at the end of the Coastal Resources Component of the Local Coastal Program.

**Sec. 9106.940. Maximum Building Site Coverage by Buildings, Structures and Impermeable Surfaces (C-P-R-1)**

The maximum coverage by all structures, buildings, and impermeable surfaces in any Planned Unit Development shall not exceed forty (40) percent of the area exclusive of any roads or open space dedications. In a Planned Unit Development the coverage shall be determined on a total project basis, exclusive of any roads or open space area. Of the minimum area per unit of 6,000 square feet only 2,400 square feet may be covered.

**Sec. 9106.1044. Fences, Hedges and Walls. (C-P-R-1)**

Fences, hedges and walls are permitted and may be required. Fences, hedges and walls shall not exceed six (6) feet in height, and where same are located in the required front yard or side yard abutting the street, the same shall not exceed three (3) feet in height unless the conditions outlined in Section 9137.13 (D) are met.

**Sec. 9106.1142. Access. (C-P-R-1)**

Where a lot abuts upon an alley or private drive, garages or accessory buildings having access from the alley or private drive shall be located not less than thirty (30) feet from the opposite side of such abutting alley or private drive. The ingress and egress to any such garage or accessory building housing, or intended to house, any motor vehicles shall be from such abutting alley or private drive only and not from the street unless specifically waived by the Planning Commission.



**Sec. 9106.1213. Open Area per Family Unit. (C-P-R-1)**

A minimum of five hundred (500) square feet of private usable open space shall be provided for each unit in any Planned Unit Development.

**Sec. 9106.1314. Development Standards. (C-P-R-1)**

All development plans and subsequent construction shall implement the following standards:

- (A) (1) Lands with a slope of 25% or greater shall not be developed. Lands with a slope between 10% and 25% may be developed if the development incorporates specific measures to minimize grading and drainage systems which limit the rate of runoff, including siltation and erosion, to that which occurs naturally on the undeveloped site. Applications for development on sites between 10% and 25% shall be accompanied by site specific professional engineering plans.
- (2) Prior to the transmittal of a coastal development permit, the permittee shall submit a runoff control plan designed by a licensed engineer qualified in hydrology and hydraulics, which would assure no increase in peak runoff rate from developed site over the greatest discharge expected from the existing undeveloped site as a result of a 100 year frequency storm. Runoff control shall be accomplished by such means as on-site detention/desiltation basins or other devices. Energy dissipating measures at the terminus of outflow drains shall be constructed. The runoff control plan including supporting calculations shall be in accordance with the latest adopted City Standards and shall be submitted to and determined adequate in writing by the Community Development Department.
- (3) All permanent erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities and shall be permanently maintained. Periodic monitoring of said devices shall be carried out by the City and the California Department of Fish and Game.
- (4) All grading activities for roads, future building pads, utilities and installation of erosion and sedimentation devices shall be prohibited during September 30 through May 1.

Prior to commencement of any grading activity, the permittee shall submit a grading schedule which indicates that grading will be completed within the permitted time frame designated in this condition and that any variation from the schedule shall be promptly reported to the Community Development Department.

- (5) All areas disturbed by grading shall be planted prior to October 15th with temporary or permanent (as in the case of finished slopes) erosion control vegetation. Vegetative cover must be established by November 1 of each year. Said planting shall be accomplished under the supervision of a licensed landscape architect or landscape contractor and shall consist of seeding, mulching, fertilization and irrigation adequate to provide 90% coverage within 90 days. Planting shall be repeated if the required level of coverage is not established. This requirement shall apply to all disturbed soils including stockpiles, and to all building pads.
- (6) Prior to transmittal of a coastal development permit, a detailed landscape plan indicating the type, size, extent, and location of plant materials, the proposed irrigation system, and other landscape features shall be submitted, reviewed and determined to be adequate by the Community Development Department. Drought tolerant plant materials shall be utilized to the maximum extent feasible; native plants are encouraged.

- (7) Moderate Soil Limitations: Cut and fill slopes on areas under 20% slope shall not be over 4:1 slope and four feet high, compacted (if fill), with straw mulch broadcast and rolled at 3000 pounds per acre, and seeded with a grass and native shrub seed mixture generally having the following basic ratio of components:

Native woody shrubs—6 lbs/acre  
Native herbaceous annuals and perennials—15 lbs/acre  
Native grasses—60 lbs/acre  
Wood fiber mulch with soil binder—1500 lbs/acre  
Fertilizer—150 lbs/acre

Low Soil Limitations: Cut and fill slopes on areas under 10% slope shall not exceed 3:1 slope and four feet in height. Disturbed soil shall be hydroseeded (no straw mulch needed) with the seed mixture as recommended above, except additional wood fiber shall be incorporated at a minimum of 2000 lbs/acre.

- (8) Temporary dust controls shall be employed during construction. Watering down methods used to control dust shall not erode the soil. Downhill cut or fill areas shall be lined with straw bales to control erosion from runoff. Where exposed soil conditions exist within the landscaped and irrigated portions of the sites near dwellings, slopes shall be planted with ground cover netting to retain soil. Plant materials shall be selected, sized and spaced to achieve total soil surface coverage in one year with irrigation provided. Trees and shrubs having fibrous root systems shall be used. Any of the mulch and seed mitigation measures described in (A)(7) above may be used instead of erosion control netting.
- (9) That the City and the State Department of Fish and Game be made "third party" to the project's CC and R's to the extent that the City and/or the Department of Fish and Game may come onto private property to inspect and if necessary perform maintenance on drainage and erosion control devices and place a lien on the subject properties to recover cost of said maintenance.
- (B) That multi-level construction designs be used to reduce required grading.  
(C) That a combination of slopes and low retaining walls be used to reduce grading.  
(D) That pier or post and beam type construction be used for sites in excess of fifteen (15) percent cross slope. Under area to be closed in or made aesthetically acceptable to the Planning Commission.  
(E) That areas of significant natural vegetation be protected and enhanced where feasible.  
(F) That architectural designs shall generally follow the criteria set forth in the adopted Advisory Architectural Design Guidelines.  
(G) That native plant material shall be the major theme in all landscape designs.  
(H) That roads, driveways, and structures shall be sited and designed to prevent impacts which would significantly degrade the adjacent environmentally sensitive area.  
(I) That public utilities and cable TV shall be placed underground.  
(J) That reasonable mitigation to protect Archaeological or Paleontological resources shall be required.  
(K) That all roof material shall be of fire resistant material such as tile or heavy asphalt shingles, not wood shakes or shingles.  
(L) That there be a minimum of ten (10) feet between any single family detached dwellings.

**Article IX – Planning and Zoning Regulations, Chapter 1, Part 14 Mixed Use Development District is amended to read as follows:**

**PART 14 - MIXED USE DEVELOPMENT DISTRICT OR "M-U" DISTRICT**

Sec. 9114.1. Purpose. (M-U)

The M-U District allows a combination of commercial, office, residential, recreational, and institutional uses. Allowing non-residential uses along with residences can reduce the cost of the housing development. The District is intended to implement the affordable mixed use designations B, D and E in the Land Use Element of General Plan along Grand Avenue, however, it may be applied to other areas as designated by the City Council. Residential density is not to exceed twenty (20) dwelling units per gross acre, unless otherwise restricted in the General Plan.

**Sec. 9114.2. Use Permit Development Plans Required. (M-U)**

The compatibility and interaction between mixed uses is to be insured through adoption of a Use Permit general development plan and specific development plans, which indicate proper orientation, desirable design character and compatible land use to provide for:

- (A) A more pedestrian-oriented non-automotive environment and flexibility in the design of land uses and structures than are provided by single-purpose zoning districts, included but not limited to shared parking;
- (B) Recreation areas that are most accessible to the M-U district's inhabitants;
- (C) Environments that are more conducive to mutual interdependence in terms of living, working, shopping, entertainment and recreation.

**Sec. 9114.3. Elements of the General Development Plan. (M-U)**

The general development plan shall, by means of charts, maps, and text material, address the following items:

TOPIC	EXISTING	PROPOSED
<del>(A) Land Uses and Compatibility</del>	X	X
<del>(B) Streets and Public Parking Lots</del>	X	X
<del>(C) Pedestrian and Bicycle Paths</del>	X	X
<del>(D) Water System</del>	X	X
<del>(E) Sewer System</del>	X	X
<del>(F) Drainage System</del>	X	X
<del>(G) Other Utilities</del>	X	X
<del>(H) Public Services</del>	X	X
<del>(I) Phasing</del>		X
<del>(J) Conversion of Mobilehome parks</del>		X

TOPIC	EXISTING	PROPOSED
<del>(K) Subdivision Configuration</del>		X

<del>(L) Economic Analysis</del>	X	X
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In addition to the subject property, the general development plan shall, for purposes of information, also include adjacent areas for a reasonable distance therefrom.

**Sec. 9114.34. Application Requirements ~~Elements of Specific Development Plans.~~ (M-U)**

**A Use Permit** ~~Specific development plans~~ shall include all of the following items:

- (A) Preliminary grading plans.
- (B) Landscaping plans.
- (C) Utilities and public improvement plans.
- (D) Sample building elevations showing general architectural style and height.
- (E) Subdivision plans.
- (F) Access points for loading.
- (G) Buffer zones and setbacks.
- (H) How the proposal is in general conformity with, or in excess of, minimum requirements set forth for the M-U District.
- (I) A list of the permitted and conditionally permitted uses proposed for the development.

**Sec. 9114.45. Application Approval ~~Adoption and Amendment of Development Plans.~~ (M-U)**

- (A) ~~A Use Permit~~ **A Use Permit** ~~General development plans~~ shall be presented to the Planning Commission for review at a public hearing. The Planning Commission shall indicate by resolution their recommendation to approve, conditionally approve, or disapprove the Use Permit ~~general development plan~~. ~~The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer. The Planning Commission recommendation shall be reported to the City Council and the developer. Upon receipt of the Planning Commission's recommendation on the Use Permit said report, the City Council shall consider the Use Permit general development plan at a public hearing. The City Council may approve, conditionally approve, or disapprove the Use Permit general development plan~~
- ~~(B) Upon approval of the general development plan by the City Council, specific development plans in conformity with the general development plan may be presented for approval. Specific development plans shall be considered by the Planning Commission at a public hearing in the same manner prescribed in Section 9144.5 for Use Permits. The Planning Commission shall indicate by resolution their decision to approve, conditionally approve, or disapprove specific development plans. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer.~~
- ~~(C) General development plans and specific development plans may be amended in the same manner as they are adopted, provided that no specific development plan may be amended that also requires an amendment to the general development plan until the latter has been amended.~~

**Sec. 9114.56. Uses Permitted. (M-U)**

The types of permitted uses shall be determined at the time the Use Permit general development plan is reviewed by the Planning Commission.

~~Sec. 9114.7. Uses Permitted Subject to Obtaining a Use Permit. (M-U)~~

~~The types of uses requiring approval of a Use Permit shall be determined at the time the general development plan is reviewed by the Planning Commission.~~

**Sec. 9114.68. Pre-existing Uses. (M-U)**

The following regulations shall remain in effect until a Use Permit is general and specific development plan are approved for a project site:

**(A) Residential:**

(1) All residential units in existence in the month of July, 1996, shall be permitted uses. Additions to such residences not creating new units and not exceeding fifty percent of the existing floor area or 1,500 square feet, whichever is greater, shall be permitted.

(2) Additions to existing residential developments greater than fifty percent of the existing floor area may be permitted subject to obtaining a Use Permit in accordance with Section 9144.5.

**(B) Mobilehome Parks:** All mobilehome parks in existence in the month of July, 1996, shall be permitted uses. Repair and maintenance of units within mobilehome parks shall be permitted. An increase in the number of mobilehome units within the park is not permitted.

**(C) Commercial Uses:**

(1) All commercial businesses holding valid City Business Tax Certificates in the month of July, 1996, shall be permitted uses. Transfer of ownership, name changes, or establishment of a new business within the same general use classification shall be permitted.

(2) Uses permitted in the commercial district closest to the boundary of the M-U District shall require the be permitted uses. ~~Uses requiring approval of a Use Permit in the commercial district closest to the boundary of the M-U District shall be uses permitted subject to obtaining a Use Permit.~~

**Sec. 9114.79. Maximum Allowable Height. (M-U)**

**(A)** The maximum building or structural height of all buildings shall be three (3) stories and not exceed thirty-five (35) feet, including roof equipment screens.

**(B)** Accessory buildings may not exceed fourteen (14) feet in height.

**Sec. 9114.840. Maximum Building Site Coverage by Buildings or Structures. (M-U)**

The maximum coverage of a lot by all structures shall not exceed fifty (50) percent of the lot area and, provided further, that a minimum of ten (10) percent of the land area shall be landscaped with suitable plants, trees, or shrubs; such landscaping to be maintained to the approval of the Planning Commission as a condition of the use.

**Sec. 9114.944. Minimum Yards Required. (M-U)**

The following minimum yard requirements refer to the perimeter of the planned site.

**(A) Front Yard:** None along Grand Avenue. For lots fronting on other streets, there is no

- minimum front yard, unless adjacent to a residential district, then ten (10) feet.
- (B) Side and Rear Yard: None, unless adjacent to a residential zone, then five (5) feet.

**Sec. 9114.1012. Elevations, Site Plans and Landscaping Approval. (M-U)**

(A) Approvals: Development of property in the "M-U" District shall require a Use Permit Architectural Approval, as set forth in Section 9144.53 of this Chapter, prior to building permit application submittal. The application shall be accompanied by detailed architectural drawings and site plans, all to a workable scale, showing the elevation and location of proposed buildings and the following additional information:

- (1) Location and type of landscaping. Landscape plans shall be prepared by qualified professionals.
- (2) Use and treatment of grounds around buildings and structures.
- (3) Off-street parking.
- (4) Physical features; such as trees, utility poles, hydrants, floodlights, driveways, fences, signs, and proposed drainage facilities.

All development shall be in accordance with the approved plans prior to final inspection by the Building Department.

(B) **Landscape/Open Space:** Landscaping and open spaces should be designed as an integral part of the overall site plan design. Landscaping and open spaces should enhance the building design, enhance public views and spaces, provide buffers and transitions, provide for a balance of solar uses, and provide screening. Additionally, the landscape design should accent the overall design theme through the use of structures such as arbors or trellises, hardscape, and special paving.

(C) **Outdoor Living Space:** Outdoor living space for residential units shall be provided as follows:

- (1) Private outdoor living space shall be provided for each dwelling unit as follows:

Studio Unit:	Ground floor units = 100 square feet Second floor units & above = 60 square feet
1 Bedroom Unit:	Ground floor units = 120 square feet Second floor units & above = 72 square feet
≥2 Bedroom Unit:	Ground floor units = 140 square feet Second floor units & above = 84 square feet

- (2) Private outdoor living space areas shall have a minimum dimension in any direction as follows: Ground floor units = 10 feet; second floor units and above = 6 feet.
- (3) Private outdoor living space may include planter areas of less than 50 square feet, patio areas, balconies, and decks, but shall not include stairs, entrance decks, and/or landings.
- (4) Private outdoor living space on the ground floor may be within required yards.

**Sec. 9114.1113.**

**Architectural Design. (M-U)**

- (A) **Design Theme:** The overall project design shall be consistent with the adopted General Plan, Neighborhood Plan, and design plans for the area. A recognizable design theme shall be established for each building. That theme shall be one which creates a harmonious building style, form, size, color, material and roof line, as it relates to surrounding planned or existing developments. Subtle variations are encouraged which provide visual interest but do not create abrupt changes causing discord in the overall design of the immediate area. Emphasis shall be placed on pedestrian pathways, plazas and common areas to connect the various uses and structures on the site.
- (B) **Scale:** The mass and scale of the buildings need to be proportionate to the site, open spaces, street locations, and surrounding developments. No matter what the scale of a building, setbacks and overall heights should provide an element of openness and human scale. Multi-story buildings shall be setback toward the center of the site or be designed in a stepped style. Adequate spacing shall be maintained between residential and nonresidential uses to insure visual and acoustical privacy for dwelling units.
- (C) **Materials and Colors:** Colors, textures, and materials shall be coordinated to achieve total compatibility of design. They should blend well with the environment and not cause abrupt changes.
- (D) **Equipment Screening:** Any equipment, whether on the roof, side of building, or ground, shall be screened. The method of screening shall be architecturally integrated in terms of material, color, shape, and size. The screening design shall blend with the building design. Where individual equipment is provided, a continuous screen is desirable.

**Sec. 9114.1244. Site Design. (M-U)**

- (A) **Building Spacing:** Adequate spacing shall be maintained between residential and nonresidential uses to insure visual and acoustical privacy for dwelling units. Fences, insulation, walks, landscaping, and sound reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the development and the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
- (B) **Access/Circulation:** The access and circulation of a development should be designed to provide a safe and efficient system, both on and off the site. Points of access shall be designed in conformance with City regulations. The circulation system shall be designed to reduce conflicts between vehicular and pedestrian traffic, minimize impacts on adjacent properties, combine circulation and access areas where possible, and provide adequate maneuvering areas. Points of access shall not conflict with other planned or existing access points. Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths that are physically separated from vehicular traffic.

**Sec. 9114.1345. Parking Areas. (M-U)**

- (A) The provisions of Sections 9138.1 and 9138.8 shall apply in determining the amount of required parking space that must be provided for each use and if a reduction can be made for shared parking. The parking spaces and loading areas shall be improved as set forth in Part 38.
- (B) Parking should not be the dominant element in the overall design of a project and should be designed to minimize visual disruption.
- (C) Parking areas should be screened from streets through combinations of mounding, landscaping, low profile walls and grade separations.
- (D) The design of parking areas should minimize auto noise, light and glare, and ambient air temperature. This can be accomplished through the use of sound walls, general location, use of well designed lights, and landscaping throughout the parking lot.

**Sec. 9114.1446. Fencing and Screening. (M-U)**

The use of any fencing or walls should be consistent with the overall design theme. Fences and walls are discouraged unless needed for a specific screening, noise mitigation, or safety purposes. Where they are needed, color, material and variation of the vertical/horizontal plane are needed to blend with the site and building design.

**Sec. 9114.1517. Exterior Design. (M-U)**

- (A) **Lighting:** On-site lights shall provide a safe, functional, and aesthetic design. Enough lighting should be provided to ensure a safe environment while at the same time not cause areas of intense light or glare. Fixtures and poles shall be designed and placed in a manner consistent and compatible with the overall site and building design.
- (B) **Utilities and Ancillary Equipment:** On-site utilities and equipment shall be located in inconspicuous areas, away from public view. Where they are located in public view, they shall be screened with a combination of material that best suits the overall design theme.
- (C) **Signs:** Signage shall comply with the requirements of the City's sign ordinance (Chapter 4 of Article IX of the Municipal Code) for the C-B-D zone. A sign program shall be required for the entire development. Such program shall include design criteria to establish an integrated and harmonious use of signs with respect to letter style, materials, color, size, shape and other design characteristics.
- (D) **Street Furniture:** Benches, trash receptacles, information kiosks, and other street furniture shall be incorporated into the public areas of the project. Such furniture shall be designed and placed in a manner consistent and compatible with the overall site and building design.

**Article IX – Planning and Zoning Regulations, Chapter 1, Part 21 Planned Commercial District is amended to read as follows:**

**PART 21 - PLANNED COMMERCIAL OR "P-C" DISTRICT**

**Sec. 9121.1. Purpose. (P-C)**

The Planned Commercial District is intended to provide for visitor-serving needs in a manner that is sensitive to the environmental, visual and archaeological resources within and adjacent to the boundaries of the District by sensitively siting and designing structures.

~~**Sec. 9121.2. Plans Required. (P-C)**~~

~~A general development Permit Application plan and specific development plans shall be required of the developer and approved as required herein before any development shall take place in any area.~~

**Sec. 9121.23. Uses Permitted. (P-C)**

See Table 1 (following Part 22) for a list of permitted uses. Permitted uses are identified with a "P" in the column headed "P-C."

~~**Sec. 9121.4. Elements of the General Development Plan. (P-C)**~~

~~Said general development plan shall, by means of charts, maps, and text materials, address the following:~~

--



TOPIC	EXISTING	PROPOSED
<del>(A) Land Use</del>	X	X
<del>(B) Streets</del>	X	X
<del>(C) Topography</del>	X	X
<del>(D) Groundcover and vegetation</del>	X	X
<del>(E) Utilities, public services</del>	X	X
<del>(F) Economic impact analysis</del>	X	X
<del>(G) Drainage patterns</del>	X	X

Sec. 9121.35. Application Requirements ~~Elements of Specific Development Plans.~~ (P-C)

~~Upon approval of said general development plan by the City Council, after receipt of recommendations thereon from the Planning Commission, specific development plans in conformity with the General Plan may be presented for approval to the Planning Commission. Specific development plans shall be presented, considered, and approved in the same manner prescribed in Section 9144.5 for Use Permits. Said plans may be presented for all parts of the Planned Commercial area and Development applications shall include all of the following items:~~

- (A) Grading Plans.
- (B) Landscaping plans.
- (C) Utilities plans; plans for public improvements.
- (D) Erosion control plans.
- (E) Sample building elevations and information showing how buildings and roads will be fitted to their respective sites with a minimum of grading and vegetation removed.
- (F) Subdivision plans.
- (G) Proposals relative to land use, parking, building heights, building site areas in general conformity with, or in excess of, minimum requirements set forth in this Part with relation to land uses corresponding with land uses proposed.

Said applications ~~specific development plans~~ shall demonstrate their conformance to the appropriate parts of this Article that delineate development standards.

Sec. 9121.46. Application Approval ~~Adoption of Plans.~~ (P-C)

- (A) ~~General d~~ Development applications plans shall be presented to the Planning Commission for review at a public hearing. The Planning Commission shall indicate by resolution their recommendation to approve, conditionally approve, or disapprove the ~~general development application plan. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended by mutual consent of the Planning Commission and the developer. The Planning Commission recommendation shall be immediately reported to the City Council and to the developer. Upon receipt of the Planning Commission's recommendation on the development application said report, the City Council shall consider the general development application plan at a public hearing.~~

The City Council may approve, conditionally approve, or disapprove the general development application plan.

~~(B) Specific development plans shall be considered by the Planning Commission at a public hearing in the same manner prescribed in Section 9144.5 for Use Permits. The Planning Commission shall indicate by resolution their decision to approve, conditionally approve, or disapprove specific development plans. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer.~~

~~(C) General development plans and specific development plans may be amended in the same manner as they are adopted, provided that no specific development plan may be amended which also requires an amendment to the general development plan until the latter has been amended.~~

Sec. 9121.57. Effect. (P-C)

No construction or grading shall be done until the development application said plans has have been adopted as outlined herein provided, however, that minor grading which is necessary for the safety of the existing use of any land in the Planned Commercial District shall be allowed as a matter of right and subject only to City Ordinance pertaining to grading.

Sec. 9121.68. Maximum Allowable Height. (P-C)

The maximum allowable height in the "P-C" District shall be three (3) stories but not to exceed forty (40) feet.

Sec. 9121.79. Minimum Building Site and Lot Width Required. (P-C)

- (A) Minimum Building Site: Ten thousand (10,000) square feet.
- (B) Minimum Lot Width: Sixty (60) feet.

Sec. 9121.840. Minimum Yards Required. (P-C)

- (A) Front Yard: Each lot in the "P-C" District shall have a front yard extending across the full width of the subject property of not less than ten (10) feet.
- (B) Side and Rear Yards: None specified unless contiguous to a residential District; then ten (10) feet.

Sec. 9121.944. Fences and Walls. (P-C)

Fences and walls are permitted but not required except when contiguous to any residential District, then such fences shall be required to the maximum height set out in this Section. Fences and walls shall not exceed six (6) feet in height, and where the same are located adjacent to access to, or visible from any public street, the same shall not exceed three (3) feet in height unless the conditions outlined in Section 9137.13 (D) are met.

Sec. 9121.1042. Minimum Off-Street Parking Required. (P-C)

The provision of Section 9138.1 shall apply in determining the amount of required parking space that must be provided for each use. Parking areas shall be improved as set forth in Part 38.

Sec. 9121.1143. Elevations, Site Plans and Landscaping Approval. (P-C)

- (A) Approvals: Development of property in the "P-C" District shall require Architectural Approval, as set forth in Section 9144.3 of this Chapter, prior to building permit application submittal. The application shall be accompanied by detailed architectural

drawings and site plans, all to a workable scale, showing the elevation and location of proposed buildings and the following additional information:

- (1) Location and type of landscaping. Landscaping plans shall be prepared by qualified professionals.
- (2) Use and treatment of grounds and around buildings and structures.
- (3) Off-street parking.
- (4) Physical features; such as trees, utility poles, hydrants, floodlights, driveways, fences, signs, trash enclosures, and proposed drainage facilities.

(B) Landscaping: Minimum landscaping required is ten (10) percent of the gross area of the building site. Such landscaping shall be maintained to the approval of the Planning Commission as a condition of the use.

**Article IX – Planning and Zoning Regulations, Chapter 1, Part 22 Coastal Planned Commercial District is amended to read as follows:**

**PART 22 - COASTAL PLANNED COMMERCIAL DISTRICT OR "C-P-C" DISTRICT**

**Sec. 9122.1. Purpose. (C-P-C)**

The Coastal Planned Commercial District is intended to provide for visitor-serving needs in a manner that is sensitive to the environmental, visual and archaeological resources within and adjacent to the boundaries of the District by sensitively siting and designing structures.

~~Sec. 9122.2. Plans Required. (C-P-C)~~

~~A general development plan and specific development plans shall be required of the developer and approved as required herein before any development shall take place in any area. Said development specific plans shall demonstrate their conformance to the policies and concerns of the various sections of the Local Coastal Program, and appropriate sections of this Article that delineate development standards.~~

**Sec. 9122.23. Uses Permitted. (C-P-C)**

See Table 1 (following Part 22) for a list of permitted uses. Permitted uses are identified with a "P" in the column headed "C-P-C."

~~Sec. 9122.4. Elements of the General Development Plan. (C-P-C)~~

~~Said general development plan shall, by means of charts, maps, and text materials, address the following:~~

TOPIC	EXISTING	PROPOSED
<del>(A) Land Use</del>	X	X
<del>(B) Streets</del>	X	X
<del>(C) Topography</del>	X	X
<del>(D) Groundcover and vegetation</del>	X	X
<del>(E) Utilities, public services</del>	X	X
<del>(F) Economic impact analysis</del>	X	X

<del>(G)</del> Drainage patterns	X	X
<del>(H)</del> Public Coastal Access	X	X
<del>(I)</del> Public Coastal Views	X	X

Sec. 9122.35. Application Requirements Elements of Specific Development Plans. (C-P-C)

~~Upon approval of said general development plan by the City Council, after receipt of recommendations thereon from the Planning Commission, specific development plans in conformity with the General Plan may be presented for approval to the Planning Commission. Specific plans shall be presented, considered, and approved in the same manner prescribed in Section 9144.5 for Use Permits. Said plans may be presented for all parts of the Coastal Planned Commercial area and Development applications shall include all of the following items:~~

- (A) Grading plans.
- (B) Landscaping plans.
- (C) Utilities plans; plans for public improvements.
- (D) Erosion control plans.
- (E) Sample building elevations and information showing how buildings and roads will be fitted to their respective sites with a minimum of grading and vegetation removed.
- (F) Subdivision plans.
- (G) Proposals relative to land use, parking, building heights, building site areas in general conformity with, or in excess of, minimum requirements set forth in this section with relation to land uses corresponding with land uses proposed.
- (H) Provision for public access to and along the shoreline.
- (I) Protection of existing public views and creation of 1 to 3 additional view corridors to the golf course and shoreline from Highway 1.

Said applications ~~specific development plans~~ shall demonstrate their conformance to the appropriate parts of this Article that delineate development standards.

Sec. 9122.46. Application Approval Adoption of Plans. (C-P-C)

(A) ~~General~~ Development applications plans shall be presented to the Planning Commission for review at a public hearing. The Planning Commission shall indicate by resolution their recommendation to approve, conditionally approve, or disapprove the general development application plan. ~~The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended by mutual consent of the Planning Commission and the developer. The Planning Commission recommendation shall be immediately reported to the City Council and to the developer. Upon receipt of the Planning Commission's recommendation on the development application said report, the City Council shall consider the general development application plan at a public hearing. The City Council may approve, conditionally approve, or disapprove the general development application plan.~~

~~(B) Specific development plans shall be considered by the Planning Commission at a public hearing in the same manner prescribed in Section 9144.5 for Use Permits. The Planning Commission shall indicate by resolution their decision to approve, conditionally approve, or disapprove specific development plans. The Planning Commission shall act~~

~~on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer.~~

- ~~(C) General development plans and specific development plans may be amended in the same manner as they are adopted provided, however, that no specific development plan may be amended which also requires an amendment to the general development plan until the latter has been amended.~~

**Sec. 9122.57. Effect. (C-P-C)**

No construction or grading shall be done until the development application ~~said plans has~~ been adopted as outlined herein provided, however, that minor grading which is necessary for the safety of the existing use of any land in the "C-P-C" District shall be allowed as a matter of right and subject only to the policies of the Local Coastal Plan and City Ordinances pertaining to grading.

**Sec. 9122.68. Maximum Allowable Height. (C-P-C)**

The maximum allowable height in the "C-P-C" District shall be three (3) stories but not to exceed forty (40) feet for sixty (60) percent of any project and shall be two (2) stories but not to exceed twenty-eight (28) feet for the remaining forty (40) percent of any project. In each case the protection of existing view corridors shall be required.

**Sec. 9122.79. Minimum Building Site and Lot Width Required. (C-P-C)**

- (A) Minimum Building Site: Ten thousand (10,000) square feet.
- (B) Minimum Lot Width: Sixty (60) feet.

**Sec. 9122.840. Minimum Yards Required. (C-P-C)**

- (A) Front Yard: Each lot in the "C-P-C" District shall have a front yard extending across the full width of the subject property of not less than ten (10) feet.
- (B) Side and Rear Yards: None specified unless contiguous to a residential District; then ten (10) feet.

**Sec. 9122.911. Fences and Walls. (C-P-C)**

Fences and walls are permitted but not required except when contiguous to any residential District, then such fences shall be required to the maximum height set out in this Section. Fences and walls shall not exceed six (6) feet in height, and where the same are located adjacent to access to, or visible from any public street, the same shall not exceed three (3) feet in height unless the conditions outlined in Section 9137.13 (D) are met.

**Sec. 9122.1042. Minimum Off-Street Parking Required. (C-P-C)**

The provision of Section 9138.1 shall apply in determining the amount of required parking space that must be provided for each use. Parking areas shall be improved as set forth in Part 38.

**Sec. 9122.1143. Elevations, Site Plans and Landscaping Approval. (C-P-C)**

- (A) Approvals: Development of property in the "C-P-C" District shall require Architectural Approval, as set forth in Section 9144.3 of this Chapter, prior to building permit application submittal. The application shall be accompanied by detailed architectural drawings and site plans, all to a workable scale, showing the elevation and location of proposed buildings and the following additional information:
  - (1) Location and type of landscaping. Landscape plans shall be prepared by qualified professionals.

- (2) Use and treatment of grounds around buildings and structures.
- (3) Off-street parking.
- (4) Physical features; such as trees, utility poles, hydrants, floodlights, driveways, fences, signs, trash enclosures, and proposed drainage facilities.

(B) Minimum landscaping required is ten (10) percent of the gross area of the building site. Such landscaping shall be maintained to the approval of the Planning Commission as a condition of the use.

**Sec. 9122.1244. Development Standards. (C-P-C)**

All development plans and subsequent construction shall implement the following standards:

- (A) That all development in this area be sited and designed to protect existing view slots or corridors from Highway 1 and upland areas to the dunes and shoreline.
- (B) That all development in this area be sited and designed to enhance or create new view slots from Highway 1 to the dunes and shoreline.
- (C) That all development be sited and designed to protect and enhance where feasible the filtration capabilities of Meadow Creek.
- (D) That reasonable mitigation measures shall be required to protect archaeological or paleontological resources.
- (E) That native plant material shall be the major theme in all landscape designs.
- (F) That all roads, parking lots, and structures shall be sited and designed to prevent impacts which would significantly degrade the adjacent environmentally sensitive area.
- (G) That the architectural theme of development in this area shall generally follow the criteria set forth in the adopted Advisory Architectural Design Guidelines and additionally said architectural theme shall be compatible and complimentary to the existing natural vegetation and land forms. The architecture and site design shall include the following characteristics, in order to reduce massing and reduce the sense of verticalness of structures:
  - (1) Use of structural, architectural design elements, i.e., corridors, heavy beams, posts, arches, columns, colonnades, canopies, cornices, etc.
  - (2) Strong textured look, using woods, tiles, pavers, stuccos, stones, blocks and bricks, colors, plant material, recesses, etc.
  - (3) Strong feeling or overhead treatment such as roof overhangs, balconies, or dark facias.
  - (4) Earthen colors. Colors with warm, natural tones. Colors range from whites, yellows, browns, clays, slates, etc.
  - (5) Wall relief (graphic, three dimensional design, landscaping, heavy textured stucco, wood tiles, etc.)
  - (6) Strong window statement (treatment of frame, mullions, border, etc.)
  - (7) The minimum distance separating buildings shall be equal to the sum of the height of any two adjacent buildings divided by two, but in no case less than 10 feet between buildings.
- (H) That drainage systems be designed to insure that all silts and oils are removed prior to the water entering a natural drainage channel.
- (I) That areas of significant natural vegetation be protected and enhanced where feasible.
- (J) That the existing habitat value of Meadow Creek be protected and enhanced by the use of buffer zones, additional native landscaping, sediment/oil control devices and controlled and limited pedestrian access to buffer zone areas.
- (K) That the maximum allowable coverage for any project in this District shall be sixty (60) percent. The remaining forty (40) percent shall be in landscaped open areas.

- (L) That for hotel/motel/lodge type developments the maximum rooms/acre density south of Le Sage Drive is twenty (20) rooms/acre while north of Le Sage Drive is a maximum of thirty (30) rooms/acre.
- (M) That all development in this area be required to maintain or enhance public access to and along the shoreline based on the development's impact on public access.

**Article IX – Planning and Zoning Regulations, Chapter 1, Part 27 Planned Community Development District is amended to read as follows:**

**PART 27 - PLANNED COMMUNITY DEVELOPMENT DISTRICT  
OR "P-D" DISTRICT**

**Sec. 9127.1. Purpose. (P-D)**  
Planned Community Development Districts are for the purpose of establishing regulations to permit the planning and development of large portions of the City. "P-D" Districts may be established in any area suitable for, and of sufficient size, to contain a planned community.

**Sec. 9127.2. Use Permit Plans Required. (P-D)**  
~~A Use Permit general development plan and specific development plans shall be required of the developer and approved as required herein before any development shall take place in any area designated as a "P-D" District.~~

~~**Sec. 9127.3. Elements of the General Plan. (P-D)**  
Said general development plan shall, by means of charts, maps and text material, address the following:~~

TOPIC	EXISTING	PROPOSED
<del>(A) Land Uses and Compatibility</del>	X	X
<del>(B) Circulation and Street Improvements</del>	X	X
<del>(C) Water System</del>	X	X
<del>(D) Sewer System</del>	X	X
<del>(E) Drainage System</del>	X	X
<del>(F) Other Utilities</del>	X	X
<del>(G) Public Services</del>	X	X
<del>(H) Economic Analysis</del>	X	X
<del>(I) Subdivision Configuration</del>		X
<del>(J) Phasing</del>		X

~~In addition to the subject property, said general development plan shall, for purposes of information, also include adjacent areas for a reasonable distance therefrom.~~

**Sec. 9127.34. Application Requirements Elements of Specific Development Plans.**

(P-D)

~~Upon approval of said general development plan by the City Council specific development plans in conformity with the general development plan may be presented for approval. Said plans may be presented for all parts of the "P-D" area and Development applications shall include all of the following items:~~

- (A) Grading plans.
- (B) Landscaping plans.
- (C) Utilities plans, plans for public improvements.
- (D) Sample building elevations and information showing how buildings and roads will be fitted to their respective sites with a minimum of grading and vegetation removal.
- (E) Subdivision plans.
- (F) Proposals relative to land use, parking, building heights, building site areas in general conformity with, or in excess of minimum requirements set forth in this Chapter with relation to land uses corresponding with land uses proposed.

Sec. 9127.45. Application Approval Adoption of Plans. (P-D)

- (A) ~~General Development applications plans shall be presented to the Planning Commission for review at a public hearing. The Planning Commission shall indicate by resolution their recommendation to approve, conditionally approve, or disapprove the general development application plan. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer. The Planning Commission recommendation shall be reported to the City Council and the developer. Upon receipt of the Planning Commission's recommendation on the development application said report, the City Council shall consider the general development application plan at a public hearing. The City Council may approve, conditionally approve, or disapprove the general development application plan.~~
- (B) ~~Specific development plans shall be considered by the Planning Commission at a public hearing in the same manner prescribed in Section 9144.5 for Use Permits. The Planning Commission shall indicate by resolution their decision to approve, conditionally approve, or disapprove specific development plans. The Planning Commission shall act on said plans within a period not to exceed ninety (90) days from the date the application is accepted as complete. The time period may be extended upon mutual consent of the Planning Commission and developer.~~
- (C) ~~General development plans and specific development plans may be amended in the same manner as they are adopted, provided that no specific development plan may be amended which also requires an amendment to the general development plan until the latter has been amended.~~

Sec. 9127.56. Variation from Minimum Requirements. (P-D)

Variation from the minimum requirements referred to in Section 9127.34 hereof may be permitted. The approval of any Use Permit ~~specific development plan~~ which requires such variations shall be had by not less than a majority vote of the total membership of the approving body upon a finding that such variations will produce any one or more of the following results:

- (A) Reduce the area and unsightliness of cut and fill banks.
- (B) Reduce the danger of erosion.



- (C) Create better community environment through dedication of public areas, rearrangement of lot sizes, reforestation of barren areas.
- (D) Create other improvements or permit the use of techniques which will produce a more desirable and livable community than can be obtained by strict compliance with said minimum requirements.

**Sec. 9127.67. Effect. (P-D)**

No construction or grading shall be done until the said plans have been adopted as outlined herein provided, however, that minor grading which is necessary for the enjoyment or safety of the existing use of any developed land in the "P-D" District shall be allowed as a matter of right and subject only to City Ordinances pertaining to grading.

**Sec. 9127.78. Uses Permitted. (P-D)**

Residential, commercial, Industrial, agricultural, public and private utility uses shall be allowed in a "P-D" District provided such uses conform to the underlying zoning district approved general development plan for said "P-D" District and to the regulations, conditions and restrictions imposed by approval of a specific development plan as required by Section 9127.4.

**TABLE 1  
USES PERMITTED WITHIN COMMERCIAL DISTRICTS**

**LEGEND**  
**P** = PERMITTED  
**UP** = PERMITTED SUBJECT TO OBTAINING APPROVAL OF A USE PERMIT  
**AUP** = PERMITTED SUBJECT TO OBTAINING APPROVAL OF AN ADMINISTRATIVE PERMIT  
**TUP** = PERMITTED SUBJECT TO OBTAINING APPROVAL OF A TEMPORARY USE PERMIT  
**NP** = NOT PERMITTED

**NOTE:** Shaded areas indicate amended text and will not appear in the final ordinance.

<b>USES</b>	<b>C-B-D</b>	<b>C-N</b>	<b>C-P</b>	<b>C-V and C-C-V<sup>1</sup></b>	<b>C-S</b>	<b>P-C</b>	<b>C-P- C</b>
<b>OFFICE AND RELATED USES</b>							
accountant office	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	-	NP	NP
architect's office	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
attorney	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
bookkeeping offices	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
business consultant	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
counseling centers	<del>UP</del> AUP/P <sup>2</sup>	<del>UP P</del>	P	NP	P	NP	NP
employment agency	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
engineer or surveyor	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
general office	AUP/P <sup>2</sup>	<del>UP P</del>	P	P/NP <sup>3</sup>	P	NP	NP
hospitals	NP	NP	UP	NP	NP	NP	NP
mailing services and telegram offices	P	<del>NP P</del>	P	P	P	NP	NP
massage therapists <sup>4</sup>	P	NP	P	P	P	NP	NP
medical/dental laboratories <sup>5</sup>	NP	NP	AUP	NP	AUP	NP	NP

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
medical/dental offices and clinics	AUP/P <sup>2</sup>	UP P	P	P/NP <sup>3</sup>	P	NP	NP
mental health/alcohol or chemical dependency treatment offices	UP	P	UP	NP	UP	NP	NP
optician	AUP/P <sup>2</sup>	P	P	P/NP <sup>3</sup>	P	NP	NP
pharmacies	P	P	P	AUP	P	NP	NP
private detective or security service	AUP/P <sup>2</sup>	P	P	NP	P	NP	NP
professional offices	AUP/P <sup>2</sup>	P	P	NP	P	NP	NP
real estate office	AUP/P <sup>2</sup>	P	P	P	P	NP	NP
taxicab service offices	UP	NP	NP	UP/NP <sup>3</sup>	P	NP	NP
travel agencies	P	P	P	P	P	NP	NP
veterinary offices and hospitals	NP	NP	AUP	AUP	AUP	NP	NP
<b>FINANCIAL SERVICES</b>							
banks	P	NP	NP	AUP	P	NP	NP
credit institutions	P	NP	NP	P/NP <sup>3</sup>	P	NP	NP
financial institutions	P	NP	NP	UP	P	NP	NP
insurance offices	P	P	P	P/NP <sup>3</sup>	P	NP	NP
mortgage bankers, brokers and services	AUP/P <sup>2</sup>	NP	P	P/NP <sup>3</sup>	P	NP	NP
savings and loan offices	P	NP	NP	AUP	P	NP	NP
stock brokerages	AUP/P <sup>2</sup>	NP	P	NP	P	NP	NP
<b>FOOD/BEVERAGE SERVICE USES</b>							
cafes	P	AUP P	AUP	P	P	P	P

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
cocktail lounges/bars/microbreweries – access to restaurant	P	UP	UP	P	P	P	P
cocktail lounges/bars	UP	NP	NP	UP	UP	NP	NP
coffee shops	<u>P</u>	<u>P</u>	<u>AUP</u>	P	<u>P</u>	<u>P</u>	<u>P</u>
delicatessens	P	P	AUP	P	P	P	P
donut shops	P	P	AUP	P	P	P	P
ice cream/frozen yogurt shops	P	P	AUP	P	P	P	P
refreshment stands	AUP	NP	NP	P	AUP	P	P
restaurants	P	<u>AUP</u>	<u>AUP</u>	P	P	P	P
<b>GENERAL COMMERCIAL USES</b>							
adult businesses	NP	NP	NP	NP	P7	NP	NP
ambulance services	NP	UP	UP	NP	UP	NP	NP
animal grooming salons	<u>AUP/P<sup>2</sup></u>	<u>UP</u> <u>AUP</u>	NP	<u>AUP/P<sup>3</sup></u>	P	NP	NP
antenna sales and service	P	NP	NP	NP	P	NP	NP
antique stores	AUP	NP	NP	<u>AUP/P/P<sup>3</sup></u>	P	NP	NP
apparel shops	P	P	NP	P	P	P	P
appliance repair and service – access to retail	P	P	NP	NP	P	NP	NP
appliance repair and service	AUP	UP	NP	NP	AUP	NP	NP
appliance sales	P	UP	NP	NP	P	NP	NP
art galleries	P	NP	AUP	P	P	P	P
art studios	AUP	UP	AUP	P	P	NP	NP

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
bakeries – retail	P	P	NP AUP	P	P	P	P
barber and beauty shops	AUP/P <sup>2</sup> P	P	AUP	P	P	P	P
beach equipment rental (excluding vehicles)	P	NP	NP	P	P	NP	P
bicycle sales, rental, service	P	UP	NP	P	P	P	P
billiard and pool establishments	UP	NP	NP	AUP	UP	UP	UP
bookstores	P	P	NP	P	P	P	P
building materials sales entirely w/in building	NP	NP	NP	NP	AUP	NP	NP
camera shop	P	P	NP	P	P	P	P
candy store	P	P	NP	P	P	P	P
carpet and flooring stores	P	NP	NP	NP	P	NP	NP
catering shops	P	AUP	AUP	P	P	NP	NP
computer software sales	P	NP	P	AUP/P <sup>8</sup>	P	NP	NP
convenience stores	UP	P	NP	P	P	NP	NP
copying and duplicating services	P	P	P	P/NP <sup>3</sup>	P	NP	NP
craft shops making articles for retail sale on premises	P	NP	NP	P	P	P	NP
craft studios	NP	NP	AUP	AUP/P <sup>8</sup>	AUP	NP	NP
dance studios	UP	NP	NP	NP	AUP	NP	NP
department stores	P	NP	NP	NP	P	NP	NP
drapery stores	P	NP	NP	NP	P	NP	NP

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P- C
dressmaking shops	P	P	NP	NP	P	NP	NP
drug stores	P	AUP	AUP	P	P	P	P
electronic equipment parts and supplies	P	NP	NP	UP	P	NP	NP
electronic equipment repair and service – access to retail	P	NP	NP	UP	P	NP	NP
electronic equipment repair and service	UP	UP	NP	NP	UP	NP	NP
electronic equipment sales	P	NP	NP	NP	P	NP	NP
fabric, yardage, yarn and sewing stores	P	P	NP	P	P	P	P
florist/flower shops	P	P	AUP	P	P	P	P
food or grocery shops	P	P	NP	P	P	NP	NP
fur shops	P	NP	NP	P	P	NP	NP
furniture stores – new	P	NP	NP	NP	P	NP	NP
furniture stores – used	UP	NP	NP	NP	UP	NP	NP
general retail	P	UP P	NP	P	P	NP	NP
gift shops	P	NP	NP	P	P	P	P
gun shops	UP	NP	NP	NP	UP	NP	NP
hardware stores w/no outside storage	AUP	P	NP	NP	AUP	NP	NP
hobby stores	P	NP P	NP	P	P	NP	NP
home improvement stores w/no outdoor storage	AUP	NP	NP	NP	AUP	NP	NP
homeware stores	P	NP	NP	P	P	NP	NP

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
Interior decorating shops	AUP/P <sup>2</sup>	NP	AUP	NP	P	NP	NP
Janitorial services and supplies	P	NP	AUP	NP	P	NP	NP
Jewelry shops	P	NP	NP	P	P	P	P
laundry and cleaning/pressing agencies	AUP	P	AUP	UP/P <sup>9</sup>	P	NP	NP
liquor sales	UP	UP	NP	UP	UP	NP	NP
locksmith shops	P	NP	NP	P	P	NP	NP
meat and fish markets <sup>10</sup>	P	AUP	NP	P	P	NP	NP
millinery shops	P	NP	NP	P	P	NP	NP
music and record stores	P	NP	NP	P	P	NP	NP
music studios	UP	NP	NP	NP	UP	NP	NP
newsstands	P	P	AUP	P	P	P	P
nurseries (plant)	NP	UP	NP	UP	UP	UP	NP
office equipment repair	NP	NP	NP	NP	P	NP	NP
office supplies	P	NP	NP	NP	P	NP	NP
paint and wallpaper shops	P	NP	NP	P/NP <sup>3</sup>	P	NP	NP
pet shops	UP	NP	NP	NP	AUP	NP	NP
photographic studios	P	AUP	NP	P	P	P	P
photographic supplies and film processing	P	P	NP	P	P	P	P
produce markets	P	AUP	NP	P	P	NP	NP
radio SEE electronic equipment							

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
second hand stores (see also 9137.21)	UP	NP	NP	NP	UP	NP	NP
shoe stores	P	NP	NP	P	P	NP	NP
shoe repair – access to retail	P	NP	NP	P	P	NP	NP
shoe repair	P	P	NP	AUP/P8	P	NP	NP
shopping centers	UP	UP	NP	UP	UP	NP	NP
sickroom supplies sales/rental	NP	NP	NP	NP	P	NP	NP
smoke shops	P	P	NP	P	P	NP	NP
souvenir shops	P	P	NP	P	P	P	P
specialized food stores	P	AUP	NP	P	P	P	P
specialty stores	P	P	NP	P	P	P	P
sporting goods	P	P	NP	P	P	P	P
sports equipment rental	<u>AUP</u>	<u>NP</u>	<u>NP</u>	<u>AUP</u>	<u>P</u>	<u>AUP</u>	<u>AUP</u>
stamp and coin shops	P	NP	NP	P	P	NP	NP
stationary supplies	P	P	NP	P	P	NP	NP
supermarket	NP	NP	NP	NP	P	NP	NP
swimming pool and spa sales and service	P	NP	NP	UP	AUP	NP	NP
tailor shops	P	P	NP	NP	P	NP	NP
tanning salons	AUP/P2	P	NP	P	P	P	P
television SEE electronic equipment							
toy stores	P	NP	NP	P	P	NP	NP
upholstery repair	NP	NP	NP	NP	AUP	NP	NP



USES	C-B-D	C-N	C-P	C-V and C-C-V'	C-S	P-C	C-P-C
upholstery repair w/retail fabric store	AUP	NP	NP	NP	AUP	NP	NP
video rental and sales	P	P	NP	P	P	NP	NP
visitor-serving retail uses	P	NP	NP	P	P	P	P
wine tasting facilities	<u>P</u>	<u>NP</u>	<u>NP</u>	P	<u>NP</u>	<u>P</u>	<u>P</u>
<b>VEHICLE RELATED USES</b>							
car wash	NP	NP	NP	NP	UP	NP	NP
car wash – access to service station	NP	NP	NP	UP	UP	NP	NP
gasoline service stations <sup>11</sup>	NP	NP	NP	UP	UP	UP	NP
taxicabs	<u>NP</u>	<u>NP</u>	<u>NP</u>	AUP	<u>UP</u>	<u>NP</u>	<u>NP</u>
tire sales and service	NP	NP	NP	NP	UP	NP	NP
vehicle parts sales (auto, light truck, boat camper, motorcycle)	NP	NP	NP	AUP	P	NP	NP
vehicle rental (auto, light truck, boat, camper, motorcycle)	NP	NP	NP	AUP	UP	NP	NP
vehicle rental – beach related	NP	NP	NP	AUP	NP	NP	UP
vehicle sales (auto, light truck, boat, camper, motorcycle)	NP	NP	NP	NP	UP	NP	NP
vehicle service and repair (auto, light truck, boat, camper, motorcycle)	NP	NP	NP	NP	UP	NP	NP
<b>RESIDENTIAL/LODGING USES</b>							
bed and breakfast inns	<u>NP UP</u>	NP	<u>NP UP</u>	P	NP	P	P

USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C
convalescent hospitals and congregate care homes	NP	NP UP	UP	NP	NP	NP	NP
homeless shelters	NP	UP	UP	NP	UP	NP	NP
hotels and motels	NP UP	NP	NP	P	NP	P	P
mixed-use developments (dwelling units + commercial use) <sup>13</sup>	UP	UP	UP	UP	UP	NP	NP
recreation vehicle/travel trailer parks <sup>14</sup>	NP	NP	NP	UP/NP <sup>12</sup>	NP	NP	NP
rest homes and sanitariums not including mental institutions	NP	NP	P	NP	NP	NP	NP
<b>PUBLIC/QUASI-PUBLIC USES</b>							
aquariums	NP	NP	NP	UP	NP	NP	P
child care facilities	UP	UP	UP	UP	UP	NP	NP
churches	UP	UP	UP	UP	UP	NP	NP
clubs	NP	NP	UP	UP	UP	NP	NP
community centers	UP	UP	UP	NP	UP	NP	NP
golf courses (miniature)	NP	NP	NP	UP	NP	P	P
lodges	NP	NP	UP	NP	UP	NP	NP
museums	UP P	NP	NP	UP	UP	P	P
parking garages	UP	NP	UP	UP	UP	P	P
parking lots – private or public	UP	UP	UP	UP	UP	P	P
parks and playgrounds	UP	UP	UP	UP	UP	P	P
USES	C-B-D	C-N	C-P	C-V and C-C-V <sup>1</sup>	C-S	P-C	C-P-C

philanthropic and social service assistance centers (non-profit)	UP	UP	UP	NP	UP	NP	NP
public utility offices/uses not including yards	P	UP	UP	UP	UP	P	P
quasi-public buildings and uses	UP	UP	UP	UP	UP	NP	NP
schools – commercial/vocational	UP	NP	UP	NP	UP	NP	NP
schools – K-12	NP	NP	UP	NP	NP	NP	NP
schools – nursery	UP	UP	UP	NP	UP	NP	NP
<b>OTHER UNCLASSIFIED USES</b>							
architectural feature exceeding maximum	UP	UP	UP	UP	UP	UP	UP
arts and crafts shows	TUP	NP	TUP	TUP	TUP	TUP	TUP
athletic, health or fitness clubs	UP	UP	NP	UP/NP <sup>16</sup>	UP	NP	NP
auctions within a building	NP	NP	NP	UP	UP	NP	NP
farmers market	UP	NP	UP	UP	UP	P	P
mortuaries	NP	NP	UP	NP	NP	NP	NP
open air markets	UP	NP	NP	UP	UP	P	P
outdoor sales w/permitted use	UP	NP	NP	UP	UP	P	P
radio and television broadcasting stations	UP	NP	UP	NP	UP	NP	NP
recreational centers, private	UP	UP	NP	UP	UP	UP	P
theaters	UP	NP	NP	UP	UP	UP	P