

ernment Code Section 65560. Therefore, the creation of agricultural zones in the county includes application of open space considerations. Further, the county has seventy-five percent of its taxable land contained in Williamson Act preserves as a further measure for protecting open space.

(b) Landscaping. The existing natural vegetation and land formations shall remain in a natural state unless modifications found to be necessary for specific use as approved by the planning commission. Reduction or elimination of fire hazards shall be required where heavy concentrations of flammable vegetation occur. Landscaping as applied for shall be consistent with the purpose of this section.

(c) Tree Removal. As to lands specified in Section 18-79, subsections (b), (c), (e), and (g) only, removal of trees may be permitted upon approval of the planning commission.

(d) Grading. All grading shall be subject to the provisions of the county's grading and erosion control ordinance. (Ord. No. 479, § 17.4, 1984; Ord. No. 609, § 52, 1992.)

#### Sec. 18-83. Building height.

Building height in an OS district shall not exceed two stories or thirty feet. (Ord. No. 479, § 17.5, 1984.)

### Article VIII. Commercial Thoroughfare (C-1) and Neighborhood Commercial (C-2) Districts.

#### Sec. 18-84. Intent.

The C-1 and C-2 districts shall act as combining districts. The following regulations shall modify the regulations of the base zone with which the C-1 and C-2 districts are combined. Except as modified in this section, the base zone regulations apply.

The intent of the C-1 and C-2 districts is to provide for commercial development that is compatible with other land uses and will conveniently and effectively serve the needs of the people. The objective is to encourage limited commercial services to meet the needs of rural citizens as well as the needs of the weekend or recreational uses, but retain major cooperative shopping for the county within urban areas. (Ord. No. 479, § 18 (part), 1984; Ord. No. 518, (part): Ord. No. 609, § 53, 1992; Ord. No. 652, § 1(part), 1994.)

Sec. 18-84.1. Commercial district permit reviews.

The planning commission shall receive, investigate and review every application for a proposed use which is listed as a permitted or conditional use in either the C-1 or C-2 districts, except as stated in this article. (Ord. No. 479, § 18 (part), 1984; Ord. No. 518, (part); Ord. No. 609, §§ 54, 55, 56, 1992; Ord. No. 640 § 1(V-X), 1993; Ord. No. 652, § 1(part), 1994.)

Sec. 18-84.2. Findings.

After a public hearing, the county planning commission may approve or conditionally approve the application if the following findings can be made:

(a) That the proposed use is properly located in relation to the district regulations, the general plan, and to the community as a whole. Other land uses, transportation, service facilities, and utilities shall be considered in the review;

(b) That the proposed use will not adversely affect the environment, or cause any damage, hazard or nuisance to persons or property.

In the event that said findings cannot be made by the planning commission, the application must be denied. (Ord. No. 652, § 1 (part), 1994.)

Sec. 18-84.3. Administrative commercial district permit review.

The planning director shall receive, investigate and review every application for an administrative C-district permit. Application for an administrative C-district permit may be made if the proposed use meets the following criteria:

(a) Proposed expansions of existing buildings, no more than fifteen percent in any given year, limited to a cumulative fifty percent expansion over at least three years, up to ten thousand square feet. The cap of ten thousand square feet shall be reduced to two thousand five hundred square feet in areas that are environmentally sensitive (as defined in the general plan) or do not have adequate infrastructure or public services.

(b) Proposed new uses in existing C-1 or C-2 districts which are to be conducted in an existing building where a previously approved C-district review was completed and in which the previous use had been in operation within the past one year. These uses must be specifically listed in the permitted uses section of the C-1 or C-2 districts.

Following a public hearing, the planning director may approve or conditionally approve a . administrative C-district review and must make the same findings as required by the planning commission as specified in section 18-84.1. In the event that the planning director cannot make said findings, the application must be denied. (Ord. No. 652, § 1 (part), 1994.)

Sec. 18-84.4. Review by other agencies.

Every application which is accepted for a proposed use in either the C-1 or C-2 district, lying within the boundaries of the "sphere of influence" of any governmental agency, shall be submitted for review and comment to said agency within five days of acceptance of said application. Said agency shall have fifteen days to review and comment upon the application. (Ord. No. 652, § 1 (part), 1994.)

Sec. 18-84.5. Term of C-district review approval.

A C-district permit shall expire two years from the date of granting said permit unless construction and substantial activities authorized by the permit for use of the subject property in conformance with the permit has commenced, in good faith, within two years of the approval date.

If any such use ceases for a period of at least one year, the C-district permit shall become invalid and a new C-district permit must be obtained prior to continuing said use.

If a C-district application is denied, no new application for a new permit substantially the same as the one denied shall be considered for a period of one year following denial. (Ord. No. 652, § 1 (part), 1994.)

Sec. 18-84.6. Modification and revocation.

The terms and conditions of any C-district permit granted by the county may be modified or the permit **as** a whole may be revoked. The permit may be modified or revoked if the permittee fails to comply with the reasonable terms or conditions expressed in the permit granted or if there is a compelling public necessity. A compelling public necessity warranting the revocation of a C-district permit for a lawful business or use may exist where the conduct of that business constitutes a nuisance. Modification or revocation shall occur only upon action by the planning commission following a public hearing. (Ord. No. 652, § 1 (part), 1994.)

Division 1. Commercial Thoroughfare (C-1) District.Sec. 18-85. Intent.

The C-1 district is specifically intended to provide for establishments offering accommodations, supplies or services especially to motorists, and for certain uses such **as** commercial amusement and specialized automotive and related sales and service establishments which serve persons coming to them from large trading areas by automobile. Such uses ordinarily do not seek locations in shopping centers, and therefore, must be provided for at independent locations. The C-1 district, when appropriate, will be located along major thoroughfares. Special development standards are incorporated in the district regulations in order to

provide for orderly development and to minimize traffic hazards. (Ord. No. 479, §19, 1984.)

Sec. 18-86. Permitted uses.

The following uses shall be permitted in the C-1 district:

- (a) Auto and truck rental agency;
- (b) Auto and truck sales with accessory repairs and services;
- (c) Auto sales, outdoor (new and used cars in operable condition only);
- (d) Auto storage, outdoor (dead storage of new cars only);
- (e) Boat sales;
- (f)** Crop and tree farming and truck gardening;
- (g) Drive-in eating and drinking establishments;
- (h) Eating and drinking establishments, including restaurants, soda fountains and nightclubs;
- (i) Farm equipment sales with accessory repairs and services;
- (i)** Greenhouse, plant nursery, including sales of garden hardware;
- (k) House trailer sales and rentals;
- (l) Motels and hotels;
- (m) Motorcycle sales with accessory repairs **and** services;
- (n) Private, noncommercial clubs such as golf, swimming, country clubs and tennis clubs;
- (o)** Public parks and playgrounds;
- (p) Trailer rentals (you-haul type);
- (q)** Vending machines distributing products at retail;
- (r) Customary accessory uses;
- (s) Pet clinics;
- (t) Automobile service stations;

(u) Automobile, truck, trailer, motorcycle and farm implement repair shops including electric and battery service, glass, reupholstering, slipcovers, and tops, but not including painting, body and fender work, or motor and transmission rebuilding as principal uses;

(v) Commercial entertainment and amusement establishments;

(w) Fruit and vegetable stands;

(x) Mechanical auto wash, auto laundry;

(y) Monument and tombstone sales;

(z) Outdoor advertising signs and outdoor advertising structures;

(aa) Souvenir and curio shops, roadside stands;

(bb) Recreation trailer parks;

(cc) Undertaking establishments, mortuaries;

(dd) Retail business establishments. (Ord. No. 479, §§ 19.1, 19.2, 1984; Ord. No. 609, §§ 57, 58, 59, 1992; Ord. No. 716, § 8, 1998.)

#### Sec. 18-87. Building site area.

The minimum lot area in the C-1 district shall be twenty thousand square feet. (Ord. No. 479, § 19.2, 1984; Ord. No. 609, § 60 (part), 1992.)

#### Sec. 18-88. Height and coverage limitations.

The maximum height of structures in the C-1 district shall be thirty-five feet. Buildings, including accessory buildings, shall not cover a total of more than forty percent of the area of the lot. (Ord. No. 479, § 19.3, 1984; Ord. No. 609, § 60 (part), 1992.)

#### Sec. 18-89. Front yard.

Each lot in the C-1 district shall have a front yard setback at least fifty feet deep. A strip ten feet deep along the front lot line shall be maintained as a landscaped strip. The remainder of such yard may be used for off-street parking or circulation. (Ord. No. 479, § 19.4, 1984; Ord. No. 609, § 61, 1992.)

#### Sec. 18-90. Side vard and rear yard.

Side and rear yards in the C-1 district may be required by the planning commission in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize an incompatibility, and to promote excellence of development. Where a side or rear yard is provided or required, it shall be at

least ten feet wide. Any setback of less than thirty feet shall require a vegetation clearance easement of thirty feet width, unless adjacent to an R1 or RM district. (Ord. No. 479, § 19.5, 1984; Ord. No. 609, § 62, 1992.)

Sec. 18-91. Special regulations.

The following special standards shall apply in the commercial thoroughfare (C-1) district:

(a) **Special Yard Requirements Adjacent to Residential District.** Where a lot in C-1 district sides or rears upon property in any residential district, a yard at least ten feet deep shall be provided. Any such yard shall be used and maintained only as a landscape planting or screening strip, except for accessways, on which shall be placed hedges, evergreens, shrubbery or other suitable planting or screening materials. A wall shall be located not more than two feet from the property line within such rear or side yards, and the height of the wall will be not less than five feet nor more than eight feet.

(b) **Access Barrier.** Each lot, with its building, other structures, and parking and loading areas, shall be physically separated from each adjoining highway or street by a curb or other such barrier against unchanneled motor vehicle ingress or egress. Such barrier shall be located at the edge of, or within, the ten-foot deep yard along the lot line required herein, unless suitable curbs and gutters are provided within the highway or street right-of-way. Except for the accessways permitted below, such barrier shall be continuous for the entire length of any lot line adjoining a street or highway.

(c) **Accessways.** Each lot shall have not more than two accessways to any one street or highway, which shall comply with the following requirements:

(1) **Width of Accessway.** The width of any accessway leading to or from a street or highway shall not exceed thirty-six feet nor be less than fifteen feet at the right-of-way line. The alignment of accessways and curb return dimensions shall be determined by the planning commission.

(2) **Spacing of Accessways.** At its intersection with the lot line, no part of any accessway shall be nearer than twenty feet to any other accessway on the same lot, nor shall any part of any accessway be nearer than ten feet to any side or rear property line at its intersection with a right-of-way line. Insofar as practicable, the use of common accessways by two or more permitted uses shall be encouraged in order to reduce the number and closeness of access points along highways. The fronting of commercial uses upon a marginal service street and not directly upon a public highway is also encouraged.

(3) **Traffic Hazards.** The location and number of accessways shall be so arranged that they will reduce the possibilities of traffic hazards as much as possible. (Ord. No. 479, § 19.6, 1984; Ord. No. 609, § 63, 1992; Ord. No. 667, § 1(VI), 1995.)

Sec. 18-92. Parking.

Off-street parking in the C-1 district shall be provided for each use as required by the provisions of Sections 18-166 through 18-192 of this chapter. (Ord. No. 479, § 19.7, 1984: Ord. No. 609, § 64, 1992.)

Sec. 18-93. Special conditions.

Special conditions in the C-1 district shall be as follows:

(a) All uses and operations, except off-street parking and loading, and other uses and activities customarily conducted out-of-doors, shall be conducted within a completely enclosed building.

(b) All storage areas shall be within a completely enclosed building. (Ord. No. 479, § 19.8, 1984: Ord. No. 609, § 65, 1992.)

Sec. 18-94. Repealed by Ord. No. 609.Sec. 18-95. Repealed by Ord. No. 609.Division 2. Neighborhood Commercial (C-2) District.Sec. 18-96. Intent.

The C-2 district is specifically intended to establish and provide centers for convenient shopping to residential neighborhoods, planned and controlled to provide service to neighborhoods. (Ord. No. 479, § 20, 1984.)

Sec. 18-97. Permitted uses.

Permitted uses in the C-2 district shall be as follows:

- (1) *Art* or antique shop.
- (2) Automobile service station.
- (3) Such other uses similar to the above.
- (4) Bakery.
- (5) Bank.
- (6) Barber shop or beauty parlor.

- (7) Book or stationery store.
- (8) Clothes cleaning agency or pressing establishment.
- (9) Confectionery store.
- (10) Custom dressmaking or millinery shop.
- (11) Drugstore.
- (12) Drycleaning establishment, using nonflammable and nonexplosive materials.
- (13) Dry goods or notions store.
- (14) Florist or gift shop.
- (15) Grocery, fruit or vegetable store.
- (16) Hardware or electric appliance store.
- (17) Jewelry store.
- (18) Laundry, laundry agency or launderette.
- (19) Meat market or delicatessen store.
- (20) Office, business or professional.
- (21) Photographer, studio or store.
- (22) Public parking area, when located and developed as required in Sections 18-166 through 18-192.
- (23) Radio or television store.
- (24) Restaurant.
- (25) Shoe store or shoe repair shop.
- (26) Swimming pool, public or otherwise.
- (27) Tailor, clothing or wearing apparel shop.

(28) Other uses similar to the above as may be determined by the planning commission.

(29) Uses customarily incidental to any of the above uses, and accessory buildings when located on the same lot, including a storage garage for the exclusive use of the patrons of the above stores or businesses, providing such accessory buildings shall not be located nearer than five feet to the main building or nearer than ten feet to the rear lot line or to the center line of an alley, if any. (Ord. No. 479, § 20.1, 1984; Ord. No. 609, § 67, 1992.)

Sec. 18-98. Conditional uses.

Conditional uses in a C-2 district shall be as follows:

- (a) Any use permitted in the RM district.
- (b) Recreational trailer parks.
- (c) Mobile home parks.

(d) No building or structure designed for or intended to be used, or which has been used as a dwelling shall be used for the conduct of any business, store, shop, or other business engaged in selling any product, in the neighborhood commercial district provided however, that any business use existing in a dwelling in a C-2 district at the time of the adoption of this chapter shall be considered as a nonconforming use, but it may not be extended, expanded, enlarged or changed to any other use unless and until permit for such extension, expansion, enlargement or change in use is first obtained by applying for and being granted a conditional use permit. The commission may also grant a conditional use permit to allow the use of a dwelling for the office of an accountant, architect, attorney, dentist, landscape architect, surveyor, physician, professional engineer, shorthand reporter or other business dealing in services. (Ord. No. 479, § 20.2, 1984; Ord. No. 609, § 68, 1992.)

Sec. 18-99. Building site area.

The minimum building site area in C-2 district shall be determined by the planning commission on a case by case basis and shall be sufficient to provide for required yards, landscaping, and parking. (Ord. No. 479, § 20.3, 1984; Ord. No. 609, § 69, 1992.)

Sec. 18-100. Height and coverage limitations.

In the C-2 district:

No building shall exceed two stories or thirty feet in height. (Ord. No. 479, § 20.4, 1984; Ord. No. 667, § 1(VII), 1995.)

Sec. 18-101. Front yard.

The front yard in the C-2 district shall be the same as that required in the most restricted contiguous zoning district on the same street frontage. (Ord. No. 479, § 20.5, 1984.)

Sec. 18-102. Side yard.

Side yards in the C-2 district shall be the same as that required in the most restricted contiguous zone district on the same street frontage. (Ord. No. 479, § 20.6, 1984.)

Sec. 18-104. Rear yard.

The rear yard in the C-2 district shall be the same as that required in the most restricted contiguous zoning district on the same street frontage. (Ord. No. 479, § 20.7, 1984.)

Sec. 18-105. Parking requirements.

Parking shall be provided in the C-2 district as provided in sections 18-166 through 18-194. (Ord. No. 479, § 20.8, 1984; Ord. No. 609, § 70, 1992.)

Sec. 18-106. Special regulations.

Except for antique shops, all of the stores, shops or businesses permitted in the C-2 district shall be retail establishments selling new merchandise exclusively, and shall be permitted only under the following conditions:

(a) Stores, shops or business, except automobile service stations and public parking lots shall be conducted wholly within the proposed building.

(b) Except for antique shops, all products produced, whether necessary or incidental, shall be sold at retail on the premises.

(c) Such uses, operation or product shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes. No auction shop, merchandise liquidator, surplus or salvage outlet or store, secondhand store or close-out store or other business of a similar type or nature, as such, shall be operated in the C-2 neighborhood commercial district.

(d) Any exterior sign displayed shall pertain only to a use conducted within the building; shall be attached flat against a wall of the building and parallel to its horizontal dimension, and shall front the principal street, a parking area in the rear, or in the case of a corner building on that portion of the side street, within fifty feet of the principal street. In no case shall a sign project above the roof line. In granting a conditional use permit for an automobile service station the commission shall have power to alter the regulations with respect to signs.

(e) No building used for residential purposes in a C-2 district shall in any way have its yard areas reduced in size from those which existed at the time of the adoption of the ordinance codified in this chapter. (Ord. No. 479, § 20.9, 1984.)

Article IX. Controlled Manufacturing (CM) District,  
Light Industrial (M-1) District and Heavy Industrial (M-2) District.

Sec. 18-107. Intent--Application for proposed uses--Hearing--Approval.

The CM district, M-1 district and M-2 district are intended to provide specialized areas where industrial uses can be located in a setting which will preserve and enhance the existing environment and where such uses will be compatible with other uses. Every manufacturing use is declared to possess characteristics such as to require review and appraisal in each instance. This regulation shall apply equally to areas on the zoning map shown as CM, M-1 and M-2 districts.

(a) The planning commission shall receive, investigate and review every application for a proposed use which is listed as a permitted use in either the CM, M-1 or M-2 districts, except as stated in this section. The planning director shall receive, investigate and review every application for a proposed expansion of no more than fifteen percent in any given year. Administrative M-district reviews (by planning director) shall be limited to a cumulative fifty percent expansion over at least three years, up to ten thousand square feet. The cap of ten thousand square feet shall be reduced to two thousand five hundred square feet in areas that are environmentally sensitive (as defined in the general plan) or do not have adequate infrastructure or public services.

(b) Every application which is accepted for a proposed use in either the CM, M-1, or M-2 district, lying within the boundaries of the sphere of influence of any governmental agency, shall be submitted for review and comment to said agency within five days of acceptance of said application. Said agency shall have fifteen days to review and comment upon the application. Administrative M-district reviews may be approved or conditionally approved by the planning director if the findings listed below can be made. After a public hearing, the county planning commission may approve or conditionally approve the proposal if the following findings can be made: