

ORDINANCE NO. 631 N.S.  
 AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
 AMENDING THE ZONING CODE TO ESTABLISH REGULATIONS  
 FOR THE REGIONAL COMMERCIAL DISTRICT  
 (CODE AMENDMENT 92001)

WHEREAS, The Land Use Element of the General Plan has established a Regional Commercial Land Use Category; and

WHEREAS, Title 21 (Zoning) of the Municipal Code has not yet been amended to establish a Regional Commercial Zoning District as called for by the General Plan; and

WHEREAS, public hearings were conducted by the Planning Commission on May 12, 1992 and by the City Council on June 2, 1992, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment and pre-zoning; and

WHEREAS, a Negative Declaration has been adopted for this code amendment in accordance with the California Environmental Quality Act; and

WHEREAS, at its meeting of June 2, 1992, the City Council gave first reading to this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that Title 21 (Zoning) of the Municipal Code be amended as follows;

SECTION I: Section 21.12.010, of the Municipal Code is hereby amended to add the words "Regional Commercial District or RC District" to the list of zoning districts.

SECTION II: Chapter 21.16, of the Municipal Code is hereby amended to add section 21.16.140 to read as follows:

**21.16.150 RC district.** Subject to the provisions of Chapter 21.20, the uses set out in Chapter 21.16G will be allowed and the regulations set out therein shall apply in the RC district.

SECTION III: Chapter 21.16G, Regional Commercial (RC) District, attached as Exhibit A, is hereby established.

PASSED AND ADOPTED THIS 16th day of June, 1992 by the following roll call vote:

AYES: Martin, Picanco, Reneau, Russell, & Iversen


NOES: None

ABSENT: None

ABSTAIN: None

  
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 MAYOR CHRISTIAN E. IVERSEN

ATTEST:

  
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 RICHARD J. RAMIREZ, CITY CLERK

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## EXHIBIT A

## CHAPTER 21.16G

## REGIONAL COMMERCIAL DISTRICT

**21.16G.010 Purpose.** The Regional Commercial or RC District provides for regional commercial in a manner consistent with the Land Use Element of the General Plan.

Among the purposes of the regulations established in this Chapter is to guide development of regional commercial properties into high quality, cohesively-planned centers that provide the following linkages among a center's component parcels:

1. Common access drives and shared parking lots in order to minimize traffic flow and safety impacts and to reduce the number of vehicle miles traveled among commercial destinations;
2. Coordinated drainage facilities, street improvements, and utilities;
3. Coordinated and compatible site design, landscaping, architectural styles, and signage;
4. Opportunities for common management and maintenance of sites, buildings, landscaping.

**21.16G.020 Permitted Uses.** Those land uses which are permitted by right and those which are subject to approval of a conditional use permit are as follows:

A. Uses Permitted by Right:

1. Retail Commercial:

- a. Appliances (refrigerators, washers, driers, stoves/ovens, microwaves, ceiling fans, etc.);
- b. Antiques, second hand merchandise (except thrift stores, which are defined by accepting donated items, are not permitted in the RC District);
- c. Auto parts (without on-site installation);
- d. Books, magazines, newsstands;
- e. Building Materials, floor coverings, spas, outdoor furnishings;
- f. Cameras;
- g. Christmas Trees, Pumpkins: outdoor sales lots (limited to a maximum of 60 days per year);
- h. Clothing, shoes, luggage;
- i. Crafts, hobbies;
- j. Department Stores;
- k. Drug Stores, Pharmacies;
- l. Electronic goods (TV's, stereos, computers, software);

- m. Florist, gifts, greeting cards;
- n. Food & beverage sales (groceries, supermarkets, mini-marts, delis, liquor stores, bakeries, doughnuts, specialty food stores);
- o. Furniture;
- p. Gasoline Sales (without auto service, may be in conjunction with other retail uses);
- q. Hardware, paint, wallpaper;
- r. Jewelry, opticians;
- s. Musical instruments;
- t. Nurseries;
- u. Pet Store;
- v. Recorded Music (CD's & Tapes);
- w. Restaurants that are 5,000 square feet or less in floor area (NOTE: Restaurants having a bar or cocktail lounge are conditional uses; restaurants having drive-through service are permitted by right only if located more than 300 feet from a residential zoning district);
- x. Sporting goods;
- y. Stationery, office supplies;
- z. Variety ("Five & Dime") Merchandise;
- aa. Video (sales & rental);
- ab. Wine Tasting Rooms.

2. Services:

- a. Banks, savings & loans, credit unions;
- b. Business, Trade Schools
- c. Car rental;
- d. Health care services:
  - (1) Clinics (outpatient);
  - (2) Emergency/urgent care centers;
  - (3) Offices for physicians, dentists, chiropractors, psychiatrists, etc.;

(NOTE: The above uses are subject to a limitation that the floor area for health care services shall not exceed 10 percent of the total floor area of a commercial center.)
- e. Offices, General (e.g., insurance, real estate, consulting professions such as accountants, architects, attorneys, engineers, etc.): subject to a limitation that the floor area for such offices shall not exceed 10 percent of the total floor area of a commercial center);
- f. Personal Services:
  - (1) Barber/beauty shops, nails & tanning salons, massage;
  - (2) Laundries (drop-off and pick-up only; no on-site laundering or dry-cleaning plants);

- (3) Locksmiths;
- (4) Parcel services;
- (5) Pet grooming;
- (6) Tailor/dressmakers, alterations, shoe repair;

g. Printing, publishing, blueprinting, duplicating.

3. Commercial Recreation:

- a. Amusement arcades;
- b. Bowling alleys;
- c. Dance halls (if no liquor is served and if located more than 300 feet from a residential zoning district);
- d. Dance schools;
- e. Gyms, health spas, etc.;
- f. Racquetball, handball courts;
- g. Skating rink (ice, roller);

4. Other Uses:

- a. Caretaker dwelling units (appurtenant to a commercial business);
- b. Crop production (dry and irrigated farming, orchards, vineyards);
- c. Grazing (cattle, sheep);
- d. Libraries, museums and art galleries (private);
- e. Meeting halls, convention centers (private);
- f. Public utility facilities: minor facilities only (e.g. wells, pump stations, switching and relay boxes, etc.);
- g. Parking lots (both public lots such as park & ride lots and private off-site parking lots for commercial uses);
- h. Trailer/temporary building use for a construction office or for a temporary place of business (less than 1 year).

B. Uses Subject to Approval of a Conditional Use Permit:

- 1. Agricultural Products Sales: Outdoor produce stands and Certified Farmers Markets;
- 2. Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment sales (with or without service facilities) (NOTE: Auto and other vehicle service as a freestanding use, i.e., not in conjunction with auto sales or gasoline sales, are not permitted in the RC District.);
- 3. Carwashes, auto detailing;
- 4. Cocktail lounges;
- 5. Dance halls if located less than 300 feet from a residential zoning district;

6. Day care centers;
7. Equipment rental;
8. Gasoline Sales (with auto service);
9. Hotels, motels, provided that approval of a conditional use permit shall require a finding that the proposed hotel or motel will not be detrimental to the City's efforts to revitalize the historic downtown;
10. Mining for sand, gravel, and/or fill dirt;
11. Mobile home sales;
12. Outdoor Recreational Facilities:
  - a. Miniature auto/go-cart courses
  - b. Miniature golf
  - c. Pools, water slides
13. Pool/billiard halls;
14. Restaurants with floor areas greater than 5,000 square feet, provided that approval of a conditional use permit shall require a finding that the proposed restaurant will not be detrimental to the City's efforts to revitalize the historic downtown;
15. Restaurants having bars or cocktail lounges;
16. Restaurants having drive-through service if located less than 300 feet from a residential zoning district;
17. Social halls, clubs, lodges and fraternal organizations, scout huts;
18. Swap meets, flea markets;
19. Theaters, provided that approval of a conditional use permit shall require a finding that the proposed theater will not be detrimental to the City's efforts to revitalize the historic downtown;
20. Trailer/temporary building use: for a permanent place of business (more than 1 year).

- C. Uses Similar to any of the Above-Listed Uses: Any use not specifically listed above is not permitted unless the Planning Commission or City Council makes a determination that a particular land use is similar to a use which is specifically listed as permitted by right or subject to approval of a conditional use permit.

**21.16G.030 Development Permit Requirements.** Prior to issuance of building and grading permits for construction of new buildings and major structures and for major additions and exterior alterations to existing buildings and structures, a Development Plan shall be approved by the Planning Commission.

In order to achieve the purposes of this chapter, the development plan shall show the following:

1. Those items listed in Section 21.16G.040(D) for improvements proposed to be made to the property that is the subject of the development plan application;

2. Conceptual design of major improvements (e.g., buildings, parking, and drives) on any adjacent vacant or partially-developed RC-zoned lots.

Approval of plans for minor additions and exterior alterations and for replacement of messages (faces) within approved signs may be delegated by the Planning Commission to the Development Review Committee or to Community Development Department staff, subject to design guidelines adopted by the Planning Commission. Minor additions and exterior alterations shall be considered to be those that have minimal visual effect.

**21.16G.040 Development Standards.** The development standards set forth in this section apply to the development of all RC-zoned lots.

A. Height Limit: 32 feet for habitable buildings and structures; 50 feet for non-habitable buildings and structures.

B. Minimum Setbacks from City Street Rights-of-Way: The minimum setbacks from city street rights-of-way for buildings, structures, parking and loading spaces and back-up aisles, outside storage areas, outside display areas, trash enclosures, utility transformers, and similar facilities shall be as follows:

1. 25 Feet: Along all arterial streets and along collector and local streets where residential zoning districts face the subject streets either across the street from, or on the same side of the street adjacent to, the RC-zoned property.
2. 10 Feet: Along collector and local streets where commercial, industrial, public facility, or parks and open space zoning districts face the subject streets either across the street from, or on the same side of the street adjacent to, the RC-zoned property. Along freeway frontage streets, more than 10 feet may be required as condition of approval of a development plan.

These setbacks shall be landscaped. Freestanding signs and transit stops may be located within the front setback. Access drives may cross the setback at right or nearly-right angles.

C. Minimum Setbacks from Interior Property Lines: No minimum standards are established and in some cases, zero-lot line development may be permitted. However, as part of development plan or other design review, or as part of review of a master development concept plan review in conjunction with an application for a subdivision map, parcel map or lot line adjustment, the City may require provision of certain setbacks for buildings, structures, parking and loading spaces and back-up aisles, outside storage areas, outside display areas, trash enclosures, utility transformers and similar facilities where necessary to provide a buffer between the proposed commercial uses and existing or future neighboring uses.

D. Minimum Site Improvement Requirements: New development shall be designed to accommodate the following improvements on-site:

1. Commercial buildings, any appropriate accessory structures (e.g. canopy for a gasoline service station);
2. Minimum setbacks from streets and interior property lines as defined below in this Chapter;

3. Minimum requirement for vehicular access, off-street parking and loading spaces and drives, including landscaping within parking lots, as defined by the Off-Street Parking Chapter of this title;
4. Adequate pedestrian and handicapped access to meet all applicable codes;
5. Any necessary drainage facilities, such as swales and detention basins, as determined by the City Engineer;
6. Trash enclosures, utility transformer vaults, bicycle racks, transit stops, and other facilities; all such items are to be located outside of the minimum required landscaped areas.
7. Freestanding signs in locations that do not interfere with pedestrian and vehicular safety;
8. Additional features, such as increased setbacks and landscaped area, that may be found necessary to make the required findings for approval of a development plan, or for a subdivision map or a parcel map if creating new lots, or for a lot line adjustment if reconfiguring existing lots;
9. Site design that does not create impacts or nuisances to the existing or future use of neighboring properties.

**E. Requirements for Shared Access, Parking and Other Facilities:** In order to achieve the purposes of this chapter, development plans may be conditioned to provide for future shared vehicular, bicycle, and pedestrian access, parking and other facilities (e.g. drainage basins and utilities) between the subject development site and adjacent properties.

**F. Requirements for Compatible Site and Architectural Design:** In order to achieve the purposes of this chapter, development plans may be conditioned to provide site and architectural design that is compatible with any existing high quality development on adjacent properties.

**G. Non-Conforming Buildings and Sites:** For those properties on which buildings were constructed and/or sites completely or partially developed prior to July 1, 1992, where such construction and/or development does not conform to the development standards of this section, and which are the subject of development plan applications for new or expanded land uses, the Planning Commission may, in its review and evaluation of said development plan applications, take either of the following actions as necessary to achieve the purposes of this Title and Chapter and of the General Plan:

1. Impose conditions of development plan approval to require that certain existing buildings and/or site improvements be reconstructed to meet present standards;
2. Authorize the continued use of existing buildings and/or site improvements in their non-conforming state.

**21.16G.050 Creation of New Lots.** Within the RC District, new lots to be created via subdivision map or parcel map, or existing lots to be reconfigured via lot line adjustment, shall be subject to the following requirements:

A. Minimum Lot Sizes, Dimensions, and Configuration: There are no minimum standards for lot sizes, dimensions, and configuration established for the RC District. Prior to approval of a subdivision map or parcel map to create new RC-zoned lots, or a lot line adjustment to reconfigure existing RC-zoned lots, it will be necessary for applicants to demonstrate that the proposed new or reconfigured lots are of adequate size, dimension and configuration to provide for the development standards listed in section 21.16G.040.

B. Master Development Concept Plan Requirement: In order to demonstrate that the proposed new or reconfigured lots are of adequate size, dimension and configuration to provide for the development standards listed in section 21.16G.040 and to achieve the purposes of this Chapter, applications for subdivision maps, parcel maps, or lot line adjustments to create new RC-zoned lots or to reconfigure existing RC-zoned lots, where the existing and/or new lots are vacant or partially-developed, shall include a master plan that demonstrates a conceptual method of development on the following properties:

1. The proposed new lots to be created from those existing parcels that are the subject of such an application; and
2. All neighboring vacant or partially-developed existing RC-zoned lots that may be affected by the proposed configuration of new lots.

Generally, the boundaries of the areas to be master-planned will be determined by streets and boundaries between the RC and other zoning districts.

The Master Development Concept Plan is to become an exhibit to and part of the tentative map for a subdivision map, parcel map, or lot line adjustment.

C. Contents and Detail of Master Development Plan: At a minimum, the contents and detail of a Master Development Plan shall include the following:

1. Site plan showing the items enumerated in subsection A;
2. Preliminary grading, drainage and utility plan based on the conceptual improvements shown on the site plan;
3. Supplemental drawings or narrative text that explains the proposed conceptual plans;

All drawings and plans shall be clearly readable, drawn to scale, and dimensioned to adequately explain the development concept.

A formal application for a development plan, submitted to be processed concurrently with a subdivision map, shall suffice for a Master Development Concept Plan.

D. Adequacy of Master Development Concept Plan: If the Planning Commission finds that the geographic area or contents and detail of the proposed Master Development Concept Plan is inadequate it may deny an application for a subdivision map, parcel map, or lot-line adjustment for failure to demonstrate the following findings required by the state's Subdivision Map Act:

1. That the site is physically suitable for the type of development proposed;
2. That the site is physically suitable for the proposed density (intensity) of development;

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3. That the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the Zoning Ordinance.

E. Requirements for Shared Access, Parking and Other Facilities: In order to achieve the purposes of this chapter, subdivision and parcel maps may be conditioned to provide for future shared vehicular, bicycle, and pedestrian access, parking and other facilities (e.g. drainage basins and utilities) between the new lots to be created by the maps and adjacent properties.

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