

EXHIBIT A

Section 21.15, Definitions, of the Long Beach Municipal Code is amended in part as follows:

(NEW) – Assembly use.

“Assembly use” means any facility for public or private meetings or gatherings including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations and other uses that are classified as assembly use under the California Building Code. This definition includes related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. This definition does not include gymnasiums or other sports facilities, convention centers, or facilities such as day care centers and schools that are separately defined and regulated.

(NEW) Community assembly.

“Community assembly” means a facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This definition includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, cultural facilities or facilities such as day care centers and schools that are separately classified and regulated.

(NEW) Cultural facility.

“Cultural facility” means a facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This definition includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. Facilities may include space for classes or lectures. It does not include schools or institutions of higher education providing curricula of a general nature or facilities for assembly uses.

(REPEAL) 21.15.510 – Church

~~“Church” means an institutional land use providing facilities for worship or the assemblage of the public for worship. Accessory uses include personal counseling and education in subjects relating to personal life and also the building or buildings where such activities take place. This definition includes cathedral, mosque, shrine, synagogue or temple, and other religious worship places.~~

(AMEND) 21.15.590 - Communal housing.

“Communal housing” means housing for nonfamily groups with common kitchen and dining facilities but without medical, psychiatric or other care. Communal housing includes boarding house, lodging house, dormitory, fraternity house, commune, and religious home. Communal housing does not

EXHIBIT A

include handicapped or senior citizen housing, residential care facility, or convalescent hospital or parsonage as defined by this Code. (Ord. C-6533 § 1 (part), 1988)

(NEW) 21.15.1054 – Fitness Facility.

"Fitness Facility" means a primarily indoor establishment, which may include weight training facilities; swimming or exercise pool; sport courts (basketball, etc.); exercise, yoga, and martial arts classes; sauna, spa or hot tub facilities; and similar activities that are primarily conducted indoors. Fitness Facilities may include locker rooms, snack bars, and childcare for patrons, incidental offices and storage space.

(AMEND) 21.15.1470 - Institutional use.

"Institutional use" means a category of land use characterized by emphasis upon educational, ~~religious~~ cultural, or public service activities whether for profit or of a nonprofit nature and/or by facilities for public assemblage. (Ord. C-6533 § 1 (part), 1988)

(AMEND) 21.15.2005 - Parsonage.

"Parsonage" means an accessory residential use on the same property and occupied by ~~for~~ employees of a church or other religious assembly or institutional use ~~necessary to~~ who provide spiritual guidance to members. (Ord. C-6895 § 29, 1991)

(NEW) 21.15.1574 – Public Library

"Public Library" means a nonprofit library maintained for public use and usually supported in whole or in part by local taxation. A library is a building or portion thereof where written, audio, visual, and other media are kept in some convenient order for use, but generally not for sale.

(NEW) 21.15.2273 -Religious assembly.

"Religious assembly is a type of community assembly use where a building or space used primarily for persons to conduct worship or other religious ceremonies including, but not limited to, church, cathedral, mosque, shrine, synagogue or temple, and other religious worship places, facilities for religious instruction, incidental office, storage, and kitchen facilities. This definition does not include childcare facilities, schools (kindergarten through 12th grade), gymnasiums or other sports facilities. (Ord. C-6533 § 1 (part), 1988)

(AMEND) 21.15.2810 – Special group residence.

"Special group residence" includes, but is not limited to, fraternity and sorority houses, college dormitories, residential care facility, convalescent hospitals, senior citizen housing, handicapped housing, halfway houses, military barracks and religious homes. Special group residence does not include group homes or parsonage as defined by this Code.

Section 21.25.502 - Applicability, of the Long Beach Municipal Code is amended in part as follows:

A. **Standard.** The following projects shall require site plan review:

1. **Residential.** The following residential projects require site plan review:
 - a. Five (5) or more units as one (1) project. This includes both new construction, as well as additions or adaptive reuse projects. This includes side by side projects by the same applicant where the total of new plus existing units equals five (5) or more;
 - b. Construction of a new dwelling unit or an addition greater than four hundred fifty (450) square feet in size to an existing dwelling, located on a lot less than twenty-seven feet (27') in width in the R-1-N, R-1-M, R-2-N, and R-2-A districts;
 - c. Any project proposing to utilize the incentive program established for very low and low income households; and
 - d. Any residential project proposing to utilize a wing wall.
2. **Commercial.** The following commercial projects require site plan review:
 - a. New buildings of one thousand (1,000) square feet or more;
 - b. Additions of one thousand (1,000) square feet or more to an existing commercial building. However, an addition of up to five thousand (5,000) square feet may be permitted without site plan review if the addition is less than twenty-five percent (25%) of the floor area of the existing building and is not visible from a public way;
 - c. Exterior remodeling of a building where the affected area consists of fifty feet (50') or more of building frontage in the CNA, CNP and CNR districts;
 - d. Commercial storage uses; and
 - e. Attached/roof-mounted cellular and personal communication services.
3. **Industrial or public assembly use.** Industrial or public assembly use projects with five thousand (5,000) square feet or more of floor area of new construction, except those located in the IP (Port) zoning district. Projects located in the IP zone shall be exempt from site plan review, except those projects which are located on a major arterial as defined by the transportation-Mobility eElement of the General Plan.
4. **Adaptive Reuse.** Projects involving the reuse of existing spaces, structures or buildings as allowed under California Health and Safety Code Section 17958.11 for joint living and work quarters (live-work) or as allowed in LBMC Chapter 18.63, and subject to the Special Development Standards in LBMC Section 21.45.500.
5. **Project on City land.** All new construction projects with building floor area of five hundred (500) square feet or greater except roadway and utility maintenance or improvements.
6. **Sign standards waiver requests.** The City recognizes the visual and aesthetic importance that signage has on a development. Not only does signage identify the tenants of a particular space but it helps define and shape the unique architectural character and identity of a project. To this end, this sign standards waiver section has been introduced. The intent of this provision is to allow a greater amount of creativity and flexibility in the creation, design, and application of signage on developments beyond the established sign standards. The following sign projects shall require site plan review:
 - a. Individual sign review requests for waiver of established sign standards;
 - b. Sign programs as defined in Subsection 21.44.035.B; and

EXHIBIT A

- c. Changeable copy signs.
- 7. **Project on City land in the coastal zone.** All projects involving five hundred (500) square feet or more of land or water area, except roadway and utility maintenance or improvement.
- 8. **Determination of nonconforming parking rights in area D of the coastal zone.** Requests for determination of nonconforming parking rights per Subsection 21.41.226.A.
- B. **Conceptual.** The following projects shall also be required to apply for conceptual site plan review prior to filing for site plan review:
 - 1. **Residential.** Residential projects of fifty (50) or more units;
 - 2. **Commercial, industrial or public assembly.** Projects of fifty thousand (50,000) square feet or more of new construction;
 - 3. **Project on City land.** Projects of one thousand (1,000) square feet or more of new construction.

EXHIBIT A

Table 32-1, Uses in All Other Commercial Zoning Districts, in Section 21.32.130, Transition between old and new commercial zones, is amended as follows:

Table 32-1: Uses in All Other Commercial Zoning Districts										
<i>Uses</i>	<i>Neighborhood</i>			<i>Community</i>			<i>Regional</i>		<i>Other</i>	<i>Additional Regulations</i>
	<i>CNP</i>	<i>CNA</i>	<i>CNR</i>	<i>CCA</i>	<i>CCP</i>	<i>CCR</i>	<i>CCN</i>	<i>CHW</i>	<i>CS</i>	
Alcohol Beverage Manufacturing*	Y	Y	Y	Y	Y	Y	Y	Y	Y	See Section 21.45.114. Alcoholic Beverage Manufacturing and Accessory tasting room uses shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.114.
Accessory Tasting Room*	A	A	A	A	A	A	A	A	A	
Alcoholic Beverage Sales										Note: The concentration of existing ABC licenses and the area crime rate are factors considered in reviewing applications for alcohol sales.
Off-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N	For alcoholic beverage sales exempted from the CUP process, see Section 21.52.200.1
Off-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N	
On-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N	
On-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N	
Automobile (Vehicle) Uses										Note: All outdoor display, storage, service and repair of vehicles is subject to special standards (see Chapter 21.45).
Auto detailing	A	A	A	A	A	A	A	A	C	Accessory to an auto related use such as auto repair or car wash. Mobile businesses prohibited.
Auto detailing (with hand held machines only)	AP	AP	AP	Y	Y	Y	Y	Y	C	Mobile businesses prohibited.
Car wash	N	N	N	C	C	C	C	AP	C	
Diesel fuel sales	N	N	N	AP	AP	AP	AP	AP	N	See Section 21.52.222.
Gasoline sales	N	C	N	Y	Y	Y	Y	Y	N	

EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
General auto repair (bodywork, painting, etc.)	N	N	N	N	N	N	N	C	N	
Limousine service (does not include auto repair)	N	N	N	Y	Y	AP	AP	Y	N	Nonconforming parking rights do not apply (see Section 21.27.070).
Minor auto repair, tune up and lube, smog test	N	N	N	C	C	C	C	Y	N	
Motorcycle/jet ski sales and repair	N	N	N	C	C	N	N	C	N	See also industrial zones, table 33-1.
Parking service-principal use	C	C	C	Y	C	Y	Y	Y	C	
Recreational vehicle storage	N	N	N	N	N	N	N	N	C	
Rental agency (does not include repair)	N	N	N	Y	Y	AP	AP	Y	N	Permitted near airport, hotels, etc. See applicable PD zones.
Sales (does not include auto repair)	N	N	N	N	N	N	N	Y	N	
Towing	N	N	N	A	A	A	A	A	A	Accessory to general and minor auto repair.
Vehicle parts (with installation); tire store	N	N	N	C	C	C	C	C	N	
Vehicle parts (without installation)	N	AP	N	AP	AP	AP	AP	Y	N	
Billboards	N	N	N	N	N	N	N	C	C	Subject to special standards (see Chapter 21.54). Non-freeway-oriented billboards prohibited in CS district.
Business Office Support										
Copy, fax, mail box, or supplies	Y	Y	Y	Y	Y	Y	Y	Y	N	
Equipment sales, rental, or repair	Y	Y	Y	Y	Y	Y	Y	Y	N	Also permitted in industrial zones (see table 33-1).
Offset printing	N	AP	N	AP	N	AP	AP	Y	N	
Entertainment										
Amusement machines (4 or fewer)	A	A	A	A	A	A	A	A	A	See Section 21.51.205 (accessory uses).
Banquet room rental	A	A	A	A	A	A	A	A	N	Accessory to restaurant only (see Section 21.51.215).
Dancing (accessory use)	N	N	N	Y	Y	Y	Y	Y	N	Accessory to restaurant, tavern, club. City council hearing is required for new and transferred business licenses.

EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Drive-in theater	N	N	N	N	N	N	N	N	N	
Live or movie theater (w/100 fixed seats or less)	AP Y	AP Y	AP Y	AP	AP Y	AP	AP	Y	N	For theaters w/more than 100 seats, see "Movie theater".
Live or movie theater (or live theater or live theater w/100+ seats w/more than 100 fixed seats)	NAP	NAP	NAP	CY	CAP	CY	CY	CY	N	
Mock boxing or wrestling	N	N	N	N	N	N	N	Y	N	City council hearing is required for new and transferred business licenses.
Pool tables (up to 3 tables)	A	A	A	A	A	A	A	A	N	Accessory to restaurant, tavern, club (see Section 21.51.260).
Private club, social club, nightclub, pool hall or hall rental within 500 ft. of district allowing residential uses	N	N	N	C	C	C	C	C	C	City council hearing is required for new and transferred business licenses.
Restaurant with entertainment	Y	Y	Y	Y	Y	Y	Y	Y	N	City council hearing is required for new and transferred business licenses.
Other entertainment uses (arcade, bowling alley, computer arcade, miniature golf, tennis club, skating rink)	N	N	N	C	C	C	C	C	N	See Section 21.52.203 (arcades) and Section 21.52.220.5 (computer arcades).
Financial Services										
ATM 1. Walk up or freestanding machine on interior of building; walk up machine on exterior of building	Y	Y	Y	Y	Y	Y	Y	Y	N	1., 2. Requires 2 (5 minute) parking spaces for each ATM machine. Spaces must be located within 100 ft. Such spaces may be existing required parking.
2. Freestanding machine, exterior	AP	AP	AP	AP	AP	AP	AP	AP	N	
3. Drive-thru machine	N	AP	N	AP	C	AP	AP	AP	N	3. For drive-thru machine see standards for drive-thru lane in Section 21.45.130.
Bank, credit union, savings and loan, commercial and industrial loans	AP	Y	Y	Y	Y	Y	Y	Y	N	Bank, credit union, and savings and loan in the CNP zone subject to standards in Section 21.52.208. *This does not include car

EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
										title loans or signature loan businesses as a primary use.
Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards	Y	Y	Y	Y	Y	Y	Y	Y	N	
Car title loans	N	N	N	C	C	C	C	C	N	Car title loan, check cashing, pay day loan and signature loan businesses are subject to standards in Sections 21.45.116 and 21.52.212.
Check cashing	N	N	N	C	C	C	C	C	N	
Money orders, money transfers	Y	Y	Y	Y	Y	Y	Y	Y	N	
Payday loans	N	N	N	C	C	C	C	C	N	
Signature loans	N	N	N	C	C	C	C	C	N	
Escrow, stocks and bonds broker	Y	Y	Y	Y	Y	Y	Y	Y	N	
All financial services not listed	N	N	N	C	C	C	C	C	N	

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Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
<u>Institutional-Public and Semi-Public Institutional</u>										
Community Assembly Uses (Accessory Only < 25% of GFA)	Y	Y	Y	Y	Y	Y	Y	Y	N	Accessory assembly uses shall comply with applicable regulations for assembly uses, such as parking and building code requirements
<u>Church or temple Religious assembly uses with 1) up to 2,500 sq. ft. of GFA and 2) 100 or fewer occupants</u>	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.45.125 Religious Assembly Uses shall be permitted (Y) in the PD-30 Downtown Plan Area (excluding Neighborhood Overlay), subject to Section 21.45.125.
<u>Church or temple Religious assembly uses with 1) between 2,501 sq. ft. and</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>Y</u>	<u>AP</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	

EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

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EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Personal Services										
Basic personal services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, fortunetelling, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances or electronic equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding)	Y	Y	Y	Y	Y	Y	Y	Y	N	
Catering, party counseling (without trucks)	Y	Y	Y	Y	Y	Y	Y	Y	N	For catering with trucks, see industrial zones, table 33-1.
Fitness Facility Fitness center/health club, dance/karate studio, fortunetelling up to 2,500 sq. ft. of GFA	Y	Y	Y	Y	Y	Y	Y	Y	N	Limited to 5,000 <u>2,500</u> square feet in neighborhood zones.
Fitness center/health club, dance/karate studio over-Fitness Facility between 2,500 501 to 25,000 sq. ft. of GFA,	AP	AP	AP	Y	AP	Y	Y	Y	N	
Fitness center/health club, dance/karate studio w. Fitness Facility over 25,000 sq. ft. of GFA	N	N	N	C	N	C	C	C	N	
Gun repair shop	AP	AP	AP	AP	AP	AP	AP	Y	N	
House cleaning service	Y	Y	Y	Y	Y	Y	Y	Y	N	
Laundromat	Y	Y	Y	Y	Y	Y	Y	Y	N	Section 21.52.239
Laundry (commercial customers)	N	N	N	N	N	N	N	N	N	Permitted in industrial zones only.
Massage Establishment	A	A	A	A	A	A	A	A	A	Accessory use for hotel over one hundred (100) rooms, a physician, chiropractor, health club, beauty salon, nail salon, and the like.

Table 32-1: Uses in All Other Commercial Zoning Districts

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EXHIBIT A

Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
psychology, real estate, or tax preparation										
All professional offices not listed	AP	AP	AP	AP	AP	AP	AP	AP	N	
Residential Uses										
Caretaker residence	AP	AP	AP	AP	AP	AP	AP	AP	AP	
Group home (care of 6 or less)	N	N	Y	N	N	Y	Y	N	N	
Live-Work Units	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.52.240.5
Residential care facility (care of 7 or more)	N	N	N	N	N	C	C	N	N	
Residential historic landmark building	*	*	*	*	*	*	*	*	*	See Section 21.52.265.5 for permitted uses and special conditions.
Senior and/or handicapped housing	N	N	N	N	N	C	C	N	N	
Special group housing (fraternity, sorority, convalescent home, convent, monastery, etc.)	N	N	N	N	N	C	C	C	N	
Single-family or multifamily residential	N	N	Y	N	N	Y	Y	N	N	See Table 32-3 for permitted densities.
Restaurants And Ready-To-Eat Foods	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Outdoor dining	A	A	A	A	A	A	A	A	N	A Coastal Permit and encroachment permit are required for all outdoor dining located on public right-of-way within the City's Coastal Zone.
Restaurants and ready-to-eat foods with drive-thru lanes	N	C	N	C	C	C	C	C	N	Special standards apply (see Section 21.45.130).
Restaurant and ready-to-eat foods without drive-thru lanes	Y	Y	Y	Y	Y	Y	Y	Y	N	
Vending carts	AP	AP	AP	AP	AP	AP	AP	AP	N	Special standards apply (see Section 21.45.170).
Retail Services										
Basic retail sales (except uses listed below)	Y	Y	Y	Y	Y	Y	Y	Y	N	Used clothing, antiques, art, books (new and used), coins, collectibles, jewelry,

Table 32-1: Uses in All Other Commercial Zoning Districts

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Table 32-1: Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
<p>Abbreviations:</p> <p>Y = Yes (permitted use).</p> <p>N = Not permitted.</p> <p>C = Conditional use permit required. For special conditions, see Chapter 21.52.</p> <p>A = Accessory use. For special development standards, see Chapter 21.51.</p> <p>AP = Administrative use permit required. For special conditions, see Chapter 21.52.</p> <p>T = Temporary use subject to provisions contained in Chapter 21.53.</p> <p>IP = Interim park use permit required. For special conditions, see Chapter 21.52.</p>										
<p>Notes:</p> <p>(1) All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.</p>										

EXHIBIT A

Section 21.32.020, Districts established, is amended as follows:

Twelve (12) commercial districts are established by this Chapter as follows:

A. **Commercial Zoning Districts Of General Applicability.**

1. The CO-Office Commercial District permits mixed residential and commercial uses along major arterial routes. This District implements Land Use District No. 8M of the General Plan.
2. The CH-Highway Commercial District preserves and enhances areas for automobile-oriented commercial uses. The District recognizes the need for many commercial uses to have large frontages and high visibility along major highways. This District implements Land Use District No. 8A of the General Plan.
3. The CT-Tourist and Entertainment Commercial District creates, preserves and enhances areas for the development of a major tourist and entertainment industry for the City. The District recognizes that such areas have special requirements for intense and unique uses, transportation linkages, and aesthetically pleasing environments

B. **Neighborhood Commercial Zoning Districts.** The Neighborhood Commercial Zoning District includes neighborhood-serving centers and corridors that provides small scale, low-intensity uses to meet the daily retail and service needs of surrounding residents. Uses and the scale of development shall be compatible with surrounding residential neighborhoods ~~compatible uses~~ and shall be designed to promote pedestrian and bicycle access. Scale is determined by the size of adjoining residential uses, the commercial lot size and the commercial street width. Special scale restrictions apply in these districts. There are three (3) types of Neighborhood Commercial Districts:

1. The Neighborhood Pedestrian (CNP) District is oriented towards serving pedestrians and encouraging pedestrian activity by locating with buildings located at the front setback along the primary street frontage and parking behind the buildings.
2. The Neighborhood Automobile-Oriented (CNA) District is auto-oriented with buildings set back from the front property line and parking located between the building and the street.
3. The Neighborhood Commercial and Residential (CNR) District is a mixed-use district permitting small scale commercial uses and/or moderate density residential development at R-3-T densities.

C. **Community Commercial Zoning Districts.** The Community Commercial Zoning Districts provide medium scale uses that serve an entire community, including those who arrive by automobile, and which may require buffering to ensure compatibility with adjacent residential neighborhoods. ~~uses.~~ These districts are located on major or minor arterials, located on larger lot sizes and adjoining larger scale residential neighborhood uses or are buffered from smaller scale residential neighborhoods. There are four (4) types of Community Commercial Districts:

1. The Community Automobile-Oriented (CCA) District permits retail and service uses for an entire community including convenience and comparison shopping goods and associated services.

EXHIBIT A

2. The Community Pedestrian-Oriented (CCP) District permits retail and service uses with a development character intended to encourage pedestrian activity with ~~where buildings are built to the street property line and parking is to the side or the rear.~~
 3. The Community R-4-R (CCR) District is similar to the Community Auto-Oriented District, but also permits moderate density residential development at R-4-R densities.
 4. The Community R-4-N (CCN) District is similar to the Community Auto-Oriented District, but also permits medium density residential development at R-4-N densities.
- D. **Regional Commercial Zoning District.** The Regional Commercial District provides for large scale, mixed uses on large sites in activity centers. These sites are located on major arterial streets and regional traffic corridors. There is one (1) type of Regional Scale Zone:
1. The Regional Highway District (CHW) is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. Residential use is not permitted.
- E. **Commercial Storage Zoning District.** The Commercial Storage (CS) District encourages storage uses in areas, which are particularly difficult to use due to parcel shape, access, adverse environmental conditions, or in areas where parcels are needed to form a buffer from incompatible uses.

EXHIBIT A

Section 21.52.213, Churches and other places designed and intended primarily for religious worship, is repealed.

~~21.52.213 — Churches and other places designed and intended primarily for religious worship.~~

~~The following conditions shall apply to churches and other places designed and intended primarily for religious worship:~~

- ~~A. In a residential zone, the proposed use may consist only of an expansion of an existing church or similar religious facility on the site or on the abutting site;~~
- ~~B. A master plan for long range development shall be submitted;~~
- ~~C. In a residential zone, the site shall be limited to forty thousand (40,000) square feet in size; and~~
- ~~D. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.~~
- ~~E. Parking shall be provided in accordance with Chapter 21.41. However, in recognition of the provisions of the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Zoning Administrator shall provide reasonable relief from the parking requirements of Chapter 21.41 provided the Zoning Administrator finds that strict compliance with Chapter 21.41 would impose a substantial burden upon the religious exercise of a person or assembly, and that said relief is not detrimental to the health, safety or welfare of surrounding residential or other uses. Relief from parking requirements may include tandem or joint use parking where appropriate, or relief from the distance and guaranteed permanence requirements as set forth in Subsections 21.41.222.A and 21.41.222.B.~~

~~{ORD 07 0044 § 2, 2007; Ord. C 6533 § 1 (part), 1988}~~

21.52.219.8 - Community assembly uses is hereby added:

21.52.219.8 - Community assembly uses.

Community assembly uses shall be located, developed, and operated in compliance with the following standards:

A. In a residential zone:

1. The proposed use may consist only of an expansion of an existing facility on the site or on the abutting site; and
2. The site shall be limited to forty thousand (40,000) square feet in size;
3. A long-range development plan consistent with the requirements of Section 21.34.020 shall be submitted for Planning Commission review and approval for any new or expanded use on any site larger than 40,000 square feet. New construction and additions with 5,000 square feet of floor area or more must be consistent with the long-range plan;

B. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.

C. Any new construction or additions with 5,000 square feet of floor area or more shall be subject to site plan review pursuant to Chapter 21.25, Division V;

D. A buffer at least 20 feet in width shall be provided adjacent to the boundary of any residential zone or property line of any residential use. This buffer area may be used for parking or landscaping but shall not be used for structures or outside activities. The minimum buffer requirement may be reduced subject to the review and approval of a Conditional Use Permit pursuant to Chapter 21.25, Division II, as long as the reduced buffer maintains the minimum setback requirement of the district in which the facility is located. Parking areas shall be screened consistent with the requirements of Chapter 21.42.

E. Outdoor areas used for recreation, meetings, services or other activities involving groups of persons shall be at least 50 feet from the boundary of any residential zone or property line of any residential use.

F. Parking shall be provided in accordance with Chapter 21.41.

G. To ensure compliance with the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Planning Commission or the Zoning Administrator shall have the authority to grant exceptions and waivers to the requirements of this Code when necessary to accommodate religious assembly uses.

1. A request for an exception or waiver shall be submitted and processed in the same manner as an application for an Administrative Use Permit consistent with the requirements of Chapter 21.25, Division IV, Administrative Use Permits.
2. If necessary to reach a determination on the request for exception or waiver, the Zoning Administrator may request further information from the applicant, specifying in detail what information is required.
3. Findings required. The following findings must be analyzed, made and adopted before any action is taken to approve or deny a request for a modification or waiver and must be incorporated into the record of the proceeding relating to such approval or denial:

EXHIBIT A

- a. The requested exception or waiver will not impose an undue financial or administrative burden on the City.
 - b. The requested exception or waiver will not require a fundamental alteration of the zoning or building laws, policies and/or procedures of the City.
 - c. There are no alternatives to the requested waiver or modification that could provide an equivalent level of function related to religious worship with less potential detriment to surrounding owners and occupants or to the general public.
 - d. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest;
 - e. That denial of the requested exception or waiver would impose a substantial burden on religious worship or would conflict with any State or federal statute.
 - f. For religious assembly uses located in the coastal zone, a request for reasonable accommodation under this Section shall be approved by the City if it is consistent with all of the applicable provisions of this Division, and the certified Local Coastal Program. Where a request for a modification or waiver is not consistent with the certified Local Coastal Program, the City may waive compliance with an otherwise applicable provision of the Local Coastal Program and approve the request for reasonable accommodation if the City finds that the request is consistent, to the maximum extent feasible, with the certified Local Coastal Program.
4. Conditions of approval. In approving an exception or waiver to accommodate religious assembly use, the decision-maker may impose any conditions deemed necessary to:
 - a. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;
 - b. Achieve the general purposes of this Ordinance or the specific purposes of the zoning district in which the project is located;
 - c. Achieve the findings for an exception or waiver granted; or
 - d. Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.
 5. Exceptions or waivers approved pursuant to this section may be conditioned to provide for rescission or automatic expiration based on a change of occupancy or other relevant change in circumstance. To ensure this, the property owner shall record a covenant demonstration that the improvement with which the exception or waiver is associated shall be removed or modified to comply with City regulations at the expense of the property owner when said circumstance or occupancy changes.
 6. Appeals. The applicant or any aggrieved party may appeal decisions pursuant to this section or any conditions or limitations imposed by the Zoning Administrator.
 - a. All appeals shall contain a statement of the grounds for the appeal.
 - b. Appeals shall be to the Planning Commission, in accordance with Division V of Chapter 21.21 – Administrative Procedures.