

Zoning Code Land Use Study

Preliminary Recommendations

1. Used Car Sales

Existing use authorization and/or standards:

- The use is permitted by-right in the CG, M-1, and M-2 Zone.
- A Conditional Use Permit is required in the WM District of the South Centre City Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “boutique car sales” and “used car sales lots” with all zoning terms.
- Allow “boutique car sales” as a permitted use in the CG zone only. Boutique sales would permit a business, the primarily functions as an office, to store no more than two (2) vehicles on site at any given time. Prohibit the use in all industrial zones.
- Require a Conditional Use Permit Use for “used car sales lots” in the CG, M-1, M-2 and I-P Zones. Continue to require a Conditional Use Permit in the WM District of the South Centre City Specific Plan.

Used Car Sales Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations</i>						
Existing Regulations: Used car sales	P	P	P	---	---	CUP
<i>Proposed Regulations (Generalized)</i>						
Boutique car sales	P	---	---	---	---	---
Used car sales lot	CUP	CUP	CUP	---	---	CUP

- In addition to the foregoing land use recommendations, add new standards or guidelines for “boutique car sales” and “used car sales lots:”

Boutique car sales:

1. That the area controlled by the business is of sufficient size to allow storage or display on-site of no more than two (2) cars in paved, lined and numbered spaces no smaller than eight and one-half (8 1/2) feet in width and eighteen (18) feet in length.
2. Display. Vehicles shall not be displayed on any above ground apparatus. The use of temporary structures and/or devices to elevate vehicles above the average grade of the site for display is specifically prohibited. All car inventory must be stored on-site and not in the public right-of-way.
3. Customer and employee parking areas shall be easily accessible and located separately from vehicle display areas.
4. No boutique car sales establishment shall be operated in conjunction with nor share any operating space with any other new or used car sales business.
5. Required Building. A permanent structure or building shall be maintained on-site to support the boutique car sales business. The building shall be a permanent structure. Modular or portable buildings, trailers, or mobilehomes for this purpose are prohibited.
6. Amplified Sound. The use or installation of a public address system or amplified sound system is prohibited. No loud or boisterous noises are allowed to emanate from the place of business, either by persons congregating there or by the playing of recording instruments, radios, and/or television sets or other sound-producing equipment.
7. Any lights provided to illuminate any boutique car sales area permitted by this section shall be comparable and of the same intensity to that of the rest of the commercial area or premises and so arranged to reflect the light away from adjacent properties.

Used car sales lot:

1. That the area controlled by the business is of sufficient size to allow storage or display on-site of cars in paved, lined and numbered spaces no smaller than eight and one-half (8 1/2) feet in width and eighteen (18) feet in length, and employee and customer parking of no fewer than three (3) spaces, provided that one additional employee/customer parking space shall be required for each additional twenty (20) spaces of for storage or display. Customer and employee parking areas shall be easily accessible and located separately from vehicle display areas. Ground markings and signs shall clearly indicate the location of customer and employee parking. All storage/display spaces shall be clearly lined, numbered and designated in yellow traffic paint as storage/display.
2. Display. The use of features/devices to elevate vehicles above the average grade of the site for display purposes shall be limited to the use of landscaped earthen berms or mounds, or permanent structures designed so as to be architecturally compatible with existing structures or buildings on the project site and/or adjacent thereto. The use of temporary structures and/or devices for such purposes is specifically prohibited. All car inventory must be stored on-site and not in the public right-of-way.
3. Screening. The vehicles and other display materials shall be set back five (5) feet from a street and shall not be located in required parking areas. Wheel stops or

some other type of protective device shall be provided as necessary to prevent vehicles from damaging fences, walls, buildings or landscaped areas, or from extending across any public or private property lines. Display of vehicles along street frontages shall be screened by compact evergreen hedge or alternate landscaping in a manner which screens the undersides of vehicles from public view. Display of other equipment and materials shall be screened by a solid fence or wall of at least six (6) feet in height, with enhanced landscaping along the perimeter.

4. Landscaping Required. A landscape planter a minimum of five (5) feet wide shall be provided along all street frontages, subject to Water Efficient Landscape Standards. Said landscaping shall be continuous and include a decorative planter area at the corner of intersecting streets unless a building is located at the corner or otherwise prevents continuity.
5. Required Building. A building with a minimum of three hundred (300) square feet shall be maintained on-site to support the business. The building shall be a permanent structure. Modular or portable buildings, trailers, or mobilehomes for this purpose are prohibited.
6. Amplified Sound. The use or installation of a public address system or amplified sound system is prohibited. No loud or boisterous noises are allowed to emanate from the place of business, either by persons congregating there or by the playing of recording instruments, radios, and/or television sets or other sound-producing equipment.
7. Lighting. All outdoor lights shall be served by underground wiring and shall be shielded from adjacent properties.

2. Auto Repair Shops

Existing use authorization and/or standards:

- The use is permitted by-right in the CG, M-1, and M-2 Zones.
- “Limited repair” and “general repair” requires a Conditional Use Permit in the WM General and Felicita districts of the South Centre City Specific Plan. A Conditional Use Permit is also required for repair uses in the East Valley Parkway Specific Plan; however, exceptions to this use authorization is made for repair service in multi-tenant building designed and approved prior to the specific plan’s adoption. Auto supply stores with incidental repair is permitted in the GT and SC districts of the Downtown Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “auto supply stores with incidental installations,” “limited auto repair,” “general auto repair,” and “tire treading” with all zoning terms. Such an approach would allow different degrees of regulation of personal auto vehicle repair and maintenance based on the intensity type of the business. Also,

add that a gasoline service station which provides “limited auto repair” service is not exempt from these use requirements or standards.

- The definitions used in the South Centre City Specific Plan can be used to establish zoning terms for “limited auto repair” and “general auto repair.”
 - “General auto repair” can include major repair of automobiles, motorcycles, recreational vehicles, or light trucks. Examples of use include body and fender shops; brake shops; full-service motor vehicle repair garages; machine shops; painting shops; towing services; and transmission shops. Does not include vehicle dismantling or salvage and tire retreading or recapping.
 - “Limited auto repair” can include minor repair of automobiles, motorcycles, recreational vehicles, or light trucks, vans, or similar size vehicles. Examples of use include brake adjustments and repairs; installation of electronic equipment (e.g., alarms, stereos, etc.); servicing of cooling, electrical, fuel, and exhaust systems; oil and lube shops; tire sales and installation shops; wheel alignment and balancing; auto glass installation and services.
- Add a “commercial vehicle repair” definition to the code to include uses that repair and maintain the mechanical components of the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft or boats. “Commercial vehicle repair” can also include “general auto repair” type functions.
- “Auto supply stores with incidental repair” should continue as a permitted use in the CG Zone and the SG and GT districts of the Downtown Specific Plan. Allow “auto supply stores with incidental repair” as a permitted use in the CG Zone and limited zones in the South Centre City Specific Plan and East Valley Specific Plan.
- Require a Minor Conditional Use Permit for “limited auto repair” in the CG zone and the SG districts of the Downtown Specific Plan and limited zones of the East Valley Specific Plan. Continue to allow by-right “limited repair” in the industrial zones.
- Require a Conditional Use Permit for “general repair” in the CG Zone and continue to conditionally permit “general repair” in limited zones of the East Valley and South Centre City specific plans. Require a Conditional Use Permit for “general repair” in the M-1 and M-2 zones, and “commercial vehicle repair” in M-2 Zone. Require a Conditional Use Permit for “tire treading” in the M-2 Zone. Prohibit “tire treading” throughout all other zones.

Auto Repair Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulation</i>						
Auto supply store with repair	P	P	P	P	P	P
Repair services	P	P	P	---	P/CUP	CUP
Auto body	CUP	P	P	---	P/CUP	CUP
Boat repair	---	P	P	---	P/CUP	CUP
<i>Proposed Regulations (Generalized)</i>						
Auto supply store with repair	P	P	P	P	P	P
Limited repair	CUP#	P	P	CUP#	CUP#	CUP#
General repair	CUP	CUP	CUP		CUP	CUP
Commercial vehicle repair	---	---	CUP	---	---	---

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. All tires, barrels, new or discarded auto parts, vehicles under repair and other storage of materials used or sold on the premises must be stored and maintained inside the building if in a CG commercial zone (Section 33-337), M-1 industrial zone (Section 33-571), or similar zone district; or screened from view from adjacent properties and streets by a solid screen barrier in the M-2 industrial zone (Section 33-571). Outdoor storage of non-operational vehicles is prohibited in all zones, unless authorized as “car storage or tow yard.”
 2. Residential and Street Adjacency. All new structures shall be oriented to face building, workstation, and service bay entrances, away from abutting residential properties and the public right-of-way to the extent practicable.
 3. Service bays shall be screened from adjacent properties and public view by a wall, fence, hedge or other appropriate plant or landscape material between the service bay and the property line. Solid fencing or walls shall be constructed of brick, block, stone or frame-stucco. An ornamental masonry wall shall be provided along all property lines that abut property used or zoned for residential purposes. Screening shall minimize the visual impact to the extent appropriate, through means of placement, barrier, or camouflage. Screening shall be designed to blend into the surrounding architecture or landscape so that the object or land use is not apparent to the casual observer. The face of all screen walls facing public right-of-ways shall be landscaped with shrubs, trees, and/or climbing vines. Use of walls and screening techniques shall meet crime prevention standards.

4. Architectural Compatibility. The quality of architecture and building materials of all on-site structures shall meet or exceed surrounding structures.
5. Automobiles that are driveable in their present condition and are awaiting repairs are not considered to constitute "storage." Transported automobiles must be repairable and may be stored on the site if they are intended to be repaired. Vehicles or equipment parked or stored on the site shall not be used as a source of parts and shall not be sold unless the business is also licensed for vehicle or equipment sales. A vehicle that is not in working order shall not be stored on such premises for more than forty-eight (48) hours. Vehicles shall not be wrecked or dismantled; shall have hoods, trunks and doors closed; shall not be dirty or dusty; and shall not be parked or stored on public property or public rights-of-way.
6. Tow truck operation incidental to repair. No commercial tow truck, tractor, trailer or semi-trailer, designed to pull or transport passenger automobiles, may be parked on the premises of a "auto supply stores with incidental installations" or "limited auto repair" station or service garage for more than four (4) hours within any twenty-four (24) hour period, except in case of emergency. Exceptions to exceed the four (4) hour limitation may be granted for "general repair" and "commercial vehicle repair" facilities as determined by the Review Authority. The storage of these trucks must be within an enclosed building or service bay; or be located in the rear half of the lot of an industrial zone (M-1 or M-2 Zone) and be enclosed by a six (6) foot high solid wall or fence with solid gates.
7. Landscaping Required. A landscape planter a minimum of five (5) feet wide shall be provided along all street frontages, subject to Water Efficient Landscape Standards.
8. A 150-square foot planter area shall be provided at the corner of intersecting streets unless a building is located at the corner.
9. Required Building. A building with a minimum of three hundred (300) square feet shall be maintained on-site to support the business. The building shall be a permanent structure. Modular or portable buildings, trailers, or mobilehomes for this purpose are prohibited.
10. Amplified Sound. The use or installation of a public address system or amplified sound system is prohibited. No loud or boisterous noises are allowed to emanate from the place of business, either by persons congregating there or by the playing of recording instruments, radios, and/or television sets or other sound-producing equipment.
11. Lighting. All outdoor lights shall be served by underground wiring and shall be shielded from adjacent properties.
12. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, walls and fences and the perimeter of the site (including all public parkways).

3. Fleet Storage and Car Storage or Tow Yards

Existing use authorization and/or standards:

- Permitted by-right in the CG and CP Zones (parking lots). The WM General district of the South Centre City Specific Plan conditionally permits the use. The Specific Plan allows accessory fleet parking if less than ten (10) percent of the spaces are used for parking or storage. A use permit is required if accessory fleet parking exceeds ten (10) percent of the total parking required for the business.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between primary fleet storage and accessory fleet storage. “Fleet storage” means storage or parking of one or more vehicles used regularly in business operations. Where the parking of vehicles constitutes the principal use on the site, the use activity is considered a principal use. Typical fleet storage uses include taxi fleets, mobile catering trucks, car or truck (service delivery) storage, or delivery truck fleets. Excluded are sales/rentals of vehicles. “Car storage or tow yards” means a business or offering the services of a vehicle towing service, whereby disabled motor vehicles are towed or otherwise removed from the place where they are disabled by a truck, automobile, or other vehicle so adapted to that purpose, such as tow truck dispatch centers, or in the business of storing disabled motor vehicles.
- Require a Conditional Use Permit for “fleet storage” as a primary use in the CG, M-1, and M-2 Zones. Require economic study of impacts if it is a primary use (Section 33-1125). An economic study would not be required if the “fleet storage” is accessory to some other use on-site.
- Carve out exceptions for new car sales inventory lots, such a use may still require a Conditional Use Permit; however, no economic impact study would be required.
- Require a Conditional Use Permit for “car storage or tow yards” in the M-2 Zone and continue to conditionally permit fleet or “car storage or tow yards” in the WM General district of the South Centre City Specific Plan.
- Prohibit fleet storage as a primary use in the East Valley Specific Plan and Downtown Specific Plan.
- Allow accessory fleet storage use in all commercial and industrial zones. Maintain the existing use authorization for accessory fleet storage in the South Centre City Specific Plan.

Fleet Storage Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations</i>						
Fleet storage	P	P	P	---	P	P/CUP
<i>Proposed Regulations (Generalized)</i>						
Accessory fleet storage	P	P	P	P	P	P
Fleet storage or tow yard	CUP	CUP	CUP	---	---	CUP

- In addition to the foregoing land use recommendations, add new standards or guidelines for “fleet storage – primary use,” “car storage or tow yards,” and “fleet storage – accessory use.”

Fleet storage – primary use and car storage or tow yards:

1. A vehicle that is not in working order shall not be stored on such premises for more than forty-eight (48) hours. Vehicles shall not be wrecked or dismantled; shall have hoods, trunks and doors closed; shall not be dirty or dusty; and shall not be parked or stored on public property or public rights-of-way.
2. Sale Prohibited. No vehicle or any component of a vehicle shall be parked on public or private property advertising the vehicle or any other service or merchandise for sale.
3. Required Building for “Car Storage or Tow Yards.” A building with a minimum of three hundred (300) square feet shall be maintained on-site to support the business. The building may be a permanent structure, modular or portable building. Trailers or mobilehomes for this purpose are prohibited.
4. Tow trucks for car storage or tow yards – Storage or tow trucks is considered an integral part of the tow truck dispatching service which is the main permitted use. When subject to the conditions of the M-2 Zone or the WM General district of the South Centre City Specific Plan, the storage of these trucks must be located in the rear half of the lot and be enclosed by a six (6) foot high solid wall or fence with solid gates.
5. Screening. Perimeter screening shall be by a solid, uniform fence or wall with a maximum height as specified in the Ordinance. Solid fencing or walls shall be constructed of brick, block, stone or frame-stucco. An ornamental masonry wall shall be provided along all property lines that abut property used or zoned for residential purposes. Screening shall minimize the visual impact to the extent appropriate, through means of placement, barrier, or camouflage. Screening shall be designed to blend into the surrounding architecture or landscape so that the object or land use is not apparent to the casual observer. The face of all screen walls facing public right-of-ways shall be landscaped with shrubs, trees, and/or climbing vines. Use of walls and screening techniques shall meet crime prevention standards.

6. Landscaping Required. A five (5) foot wide planting area with trees shall be provided along the interior sides of screen wall. A landscape planter shall be provided on-site with a minimum of five (5) feet wide dimensions along all street frontages, on the outside of said wall, along all street frontages, subject to Water Efficient Landscape Standards.
7. Lighting. All outdoor lights shall be served by underground wiring and shall be shielded from adjacent properties.

Fleet storage – accessory use:

1. Accessory fleet storage areas must be incidental to a principal land use activity, and the accessory storage is located on the same site or lot as the primary use and is considered an integral part of that business.
2. Accessory outdoor fleet storage and must be located in a manner that minimizes the visual impact of the fleet storage through means of placement, barrier, or landscape screening to the extent appropriate.
3. Accessory outdoor fleet storage areas for fleet vehicles shall be located on the site with the principal use in compliance with the parking requirements and shall be landscaped, constructed and improved in compliance with the requirements for on-site parking areas as set forth in Article 39.
4. Accessory fleet storage shall not include a tow truck, tractor, trailer or semi-trailer, designed to pull or transport passenger automobiles; or accessory display of rental, leasable, or for-sale vehicles or equipment. The accessory storage or display of such is permitted only if they are otherwise permitted in the zone in which the facility is located.

4. Smoke, E-Cig, and Vape Shops

Existing use authorization and/or standards:

- Permitted by-right in all commercial zones.
- Conditionally permitted in the 9th district of the South Centre City Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code to include vaping products and electronic smoking devices, etc.
- Add that retail sales and display of tobacco and drug paraphernalia shall only take place in an enclosed building or tobacco and drug paraphernalia establishment. It shall be unlawful for any person to sell or display for sale tobacco and drug paraphernalia at a fair, street market, event or location other than in an enclosed building or tobacco and drug paraphernalia establishment.

- Prohibit tobacco stores within 1,000 feet of a public or private elementary or secondary school (with compulsory attendance requirements). No retail establishment in which 33 percent or more of its floor display are dedicated to the sale of tobacco products shall be located within 1,000 feet of any school.
- Require a Conditional Use Permit for tobacco stores in CG zone and in limited zones in the East Valley Parkway specific plan.
- Prohibit the use in the Downtown Specific Plan.
- Prohibit the use as part of a vertical mixed-use residential project.

Smoke Shop Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Smoke shop	P	---	---	---	---	CUP
<i>Proposed Regulations (Generalized)</i>						
Smoke shop, e-cig, and vape shops	CUP	---	---	---	---	CUP

5. Tattoo Parlor and/or Body Art

Existing use authorization and/or standards:

- Permitted by-right in the CG Zone.
- Prohibited in the South Centre City, East Valley, and Downtown specific plans.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code to include tattoo parlor, body art, and body piercing.
- Require a Conditional Use Permit in the CG Zone.
- Clarify the prohibition in the Downtown Specific Plan.

Tattoo Parlor Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Tattoo	<i>P</i>	---	---	---	---	---
<i>Proposed Regulations (Generalized)</i>						
Tattoo and/or body art	<i>CUP</i>	---	---	---	---	---

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. No tattoo parlor and/or body art establishment shall be operated in conjunction with nor share any operating space with any other business. Service of alcohol, marijuana/cannabis based substances, or other controlled substance shall not be permitted in conjunction with a tattoo parlor and/or body art facility.
 2. No tattoo parlor and/or body art establishment shall be located within 1,000 feet of any other tattoo parlor, as measured from the nearest walls of the buildings within which the tattoo parlors are established.
 3. No tattoo parlor shall be located within 500 feet of any licensed alcoholic beverage dispensing operation offering said beverages for on-site consumption.
 4. The entrance door and storefront window glazing shall be 100 percent clear and free of obstructions such as signs, window tinting, shelving, or racks. An opening shall be provided through which an unobstructed view of the interior of the premises can be obtained from the exterior of the building.
 5. Specified anatomical areas shall not be exposed in publicly accessible areas of the business or viewable from the public right-of-way.
 6. Tattoo and/or body art facility shall not operate between the hours of 10:00 p.m. and 10:00 a.m.
 7. Temporary or mobile establishments or events are not authorized by this section.
 8. The operator of the approved use shall prevent loitering and loud noises around the subject site during and after the hours of business operations.
 9. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, walls and fences and the perimeter of the site (including all public parkways).
 10. The applicant/operator of the tattoo and/or body art facility shall comply with all applicable state and local laws as they may be amended from time to time, including Health and Safety Code Sections 119300 et seq. (California Safe Body Art Act), Penal Code Section 653, and County of San Diego Department of Environmental Health regulations.

6. Nail Salons

Existing use authorization and/or standards:

- Permitted by-right in the CG Zone and in the South Centre City, East Valley, and Downtown specific plans.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code to include this use type and other barber/beauty services.

Nail Salons Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Nail salon	P	---	---	P	P	P
<i>Proposed Regulations (Generalized)</i>						
Barber/beauty services	P	---	---	P	P	P

7. Laundromats and Dry-Cleaning

Existing use authorization and/or standards:

- Permitted by-right as “self-service” in the CG and C-N Zones. Permitted as “pick-up service only” in all commercial zones. “Dry-cleaning laundering, pressing for on-site retail customers only” in permitted in the CG Zone. Not listed as a permitted use in industrial zones.
- Laundromats and dry-cleaning is permitted in nearly all commercial zones of the Downtown, East Valley, and South Centre City specific plans. A Conditional Use Permit is required for commercial laundry/dry-cleaning in the WM General district of the South Centre City Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “self-service laundromats,” “dry-cleaning drop-off/pick-up,” “dry-cleaning press/on-site cleaning,” and “commercial laundry or pressing” with all zoning terms. Such an approach would allow different degrees of regulation based on the intensity type of the business.
- Continue to permit by-right as “self-service laundromats” in all areas where currently permitted.
- Continue to permit by-right as “dry-cleaning drop-off/pick-up” in all areas where currently permitted.
- Continue to require a Conditional Use Permit for “dry-cleaning press/on-site cleaning” in the WM General district of the South Centre City Specific Plan.
- Continue to require a Conditional Use Permit for “commercial laundry or pressing” in the WM General district of the South Centre City Specific Plan. Allow the use (through a Conditional Use Permit) in the M-1 and M-2 Zones.

Laundromat Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Laundromats	P	---	---	P	P	P
Dry-cleaning pick-up/drop-off	P	---	---	P	P	P
Dry-cleaning with press	P	---	---	P/CUP	P	CUP
<i>Proposed Regulations (Generalized)</i>						
Self-serve laundromats	P	---	---	P	P	P
Dry-cleaning pick-up/drop-off	P	---	---	P	P	P
Dry-cleaning with press	---	---	---	---	---	CUP
Commercial laundry	---	CUP	CUP	---	---	CUP

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. No new “dry-cleaning on-site cleaning” or “commercial laundry” establishment shall be located within 200 feet of a residential zone or residential use unless the establishment utilizes a high-trans fluorinated alternative rather than using carbon Trichloroethylene (TCE) and Perchloroethylene (PERC).

2. The operator of the approved “self-service laundromats” use shall prevent loitering and loud noises around the subject site during and after the hours of business operations. Management or a staff representative (e.g. attendant) must be present during hours of operation.
3. No liquid or solid waste or similar material that may contaminate water supplies, interfere with bacterial process in sewage treatment, or otherwise cause the emissions of dangerous or offensive elements shall be discharged into the public sewer or private disposal system, except as determined by the Review Authority in accordance with applicable regulations.

8. Lodging, motels, and hotels

Existing use authorization and/or standards:

- Conditional Use Permit required in the CG Zone. Not listed as a permitted use in any other zone.
- Lodging, motels, and hotels is conditionally permitted in nearly all commercial zones of the Downtown, East Valley, and South Centre City specific plans. A Minor Use Permit is required for converting an existing hotel/motel to a residential use.
- Additional standards or guidelines: Article 63 of the Zoning Code address permit authority, findings and design review criteria.

Recommendations:

- Continue to conditionally permit lodging, motels, and hotels in all areas where currently permitted.
- Allow single-room occupancy (SROs) or residential conversions and extended stay conversion by Conditional Use Permit.

Lodging, Motels, and Hotels Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Hotels and Motels	CUP	---	---	CUP	CUP	CUP
Single-room occupancy res. conversions	---	---	---	---	---	CUP#
<i>Proposed Regulations (Generalized)</i>						
Hotels and Motels	CUP	---	---	CUP	CUP	CUP

Single-room occupancy res. conversions	CUP	---	---	CUP	CUP	CUP#
Extended stay	CUP	---	---	CUP	CUP	CUP

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. A manager and a minimum of one (1) additional employee shall be on duty at all times.
 2. Every person operating any hotel or motel shall at all times keep and maintain a record, either electronic or in a book/register inscribed with ink or indelible pencil, the name and valid address of each adult guest or person renting or occupying a room, as well as the room number to which that person is assigned and the time of check in. When the occupant of a room checks out, it shall be the duty of the proprietor of such hotel or motel, or his agent, to enter the time thereof electronically or in such book or register opposite the name of such occupant.
 3. The operator of the approved use shall prevent loitering and loud noises around the subject site during and after the hours of business operations.
 4. Exterior corridors on multi-level buildings are strongly discouraged and should not be located adjacent to residential uses.
 5. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, walls and fences and the perimeter of the site (including all public parkways).
 6. Allow hotel/motel conversions to residential projects (i.e. single room occupancy or SRO) through a Conditional Use Permit, except the South Centre City Specific Plan, which will continue the allowance through a Minor Conditional Use Permit.
 - SRO conversion must be consistent with the General Plan and applicable zoning code standards for multi-family residential development. Require projects to meet condo specifications, such as a minimum floor area size of four hundred (400) square feet per unit, and develop parking standards to support the use activity.
 - Access to residential units shall be via an interior corridor, only, with doors opening only onto such corridors. No units shall be accessible from the exterior of the building.
 - Other walkways, stairways, and balcony railings and other similar details should be high quality and stylistically consistent with the building design.
 7. Allow extended stays. Extended stay is any stay in a hotel, in excess of 25 rooms, and more than one floor, that is 30 or more days, but less than 90 days within a six-month period of time.
 - Upon receipt of a Conditional Use Permit, a hotel or motel in excess of 25 rooms may convert, fully, its rooms for persons to stay in the room for 30 or days but less than 90 days within a six (6) month period of time. Access to extended stay rooms

shall be via an interior corridor, only, with doors opening only onto such corridors. No rooms shall be accessible from the exterior of the building.

- The minimum floor area of a one-bedroom guest room shall be four hundred (400) square feet, a minimum floor area of six hundred (600) square feet for a two (2) bedroom guest room.
- Partial room-inventory conversions to extended stay are prohibited.
- Rooms designated for extended stay will be clearly documented on the permit by room number. Any deviation from this (i.e. allowing extended stays in rooms not designated as such, will be considered a violation.)
- Upon receipt of a complete application for a permit, the Director his or her designee shall verify all information and shall cause an inspection to be done of the premises by all City Departments to ensure there are no outstanding violations of any applicable local, state or federal law on the property.
- Other walkways, stairways, and balcony railings and other similar details should be high quality and stylistically consistent with the building design.
- Extended stay hotels shall feature a health or fitness club and a swimming pool.

8. Businesses space and restaurants. Hotels and Extended Stay Hotels designed, constructed or used for 25 or more guest rooms or more may include a business supportive space use conducted therein for the convenience of the occupants and their guests, a boutique retail space, or a restaurant for use solely by the hotel occupants and their guests.

- The entrance to the business or restaurant shall be from the inside of the hotel.
- The floor area used for all the businesses and restaurants in the facility shall not exceed 30 percent of the total ground floor area of all the buildings comprising the hotel which are on a single lot or contiguous lots.

9. Short term parking should be provided in close proximity to the office/check-in areas. Delivery and loading areas should be screened to minimize adverse visual and noise-related impacts to adjacent uses.

9. Thrift Stores, Consignment Stores, Pawn Shops, and Second-Hand Dealers

Existing use authorization and/or standards:

- No listed uses or standards in the Zoning Code. It is categorized as retail, wholesale, or service business catering directly to the customer.
- “Thrift store, pawn shops, second-hand dealers” are prohibited in the Downtown and East Valley specific plans. “Consignment stores” are permitted. A Minor Use Permit is required for “thrift stores, pawn shops, second-hand dealers, and consignment stores” in the 9th and Escondido Boulevard districts of the South Centre City Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “thrift stores,” “pawn shops,” “second-hand dealers,” and “consignment shops” with all zoning terms.
- Conditionally permit “thrift stores,” “second-hand dealers,” “and consignment stores” in the CG Zone.
- Prohibit “pawn shops,” citywide. Changes to the Zoning Code and South Centre City Specific Plan would be necessary to prohibit the “pawn shops” use.
- Clarify the prohibition of “thrift stores,” “pawn shops,” “second-hand dealers” and allowance of “consignment stores” in limited zones of the East Valley specific plans. Continue similar regulations in the Downtown Specific Plan, and also prohibit the “consignment stores” use in the downtown area.

Thrift, Consignment, Pawn, and Second-Hand Stores Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Thrift and second-hand	P	---	---	---	---	CUP#
Consignment	P	---	---	P	P	CUP#
Pawn	P	---	---	---	---	CUP#
<i>Proposed Regulations (Generalized)</i>						
Thrift and second-hand	CUP	---	---	---	---	CUP
Consignment	CUP	---	---	---	CUP	CUP#
Pawn shops	---	---	---	---	---	---

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. A designated area inside the building shall be established for the receipt, sorting and processing of goods. Donated goods shall be accepted only during regular business hours. All goods donated for sale at the thrift shop must be accepted through the rear of the store. Adequate directional signage shall be provided from the main entrance to the use to direct individuals to the collection area. The collection area shall be noticed to prohibit depositing goods when the store is closed. Signage should include daytime collection hours for donated goods.
 2. No more than 30 percent of the floor area shall be utilized for receiving, sorting and storage of donated and traded goods.
 3. Shall post signs advising patrons that the merchandise/goods within the store are primarily preowned.

4. Enclosed Activities. All activities shall be completely enclosed within the building for the use.
5. Property Maintenance. The subject property shall be maintained free of trash and debris at all times. Management shall be responsible for the removal of litter from the subject property, adjacent property, and streets that results from the thrift store (with adjacent property owner consent).
6. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, walls and fences and the perimeter of the site (including all public parkways).
7. The storefront windows shall be permanently maintained as displays of merchandise in a professional and attractive manner (i.e., unsightly clothing racks and displays shall not be placed adjacent to the windows).
8. Exterior lighting shall be installed to illuminate collection points.

10. Discount Stores / Bargain Stores

Existing use authorization and/or standards:

- No listed uses or standards in the Zoning Code or most specific plans. It is categorized as retail, wholesale, or service business catering directly to the customer. The use is specifically prohibited in the East Valley Specific Plan.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code. Defines bargain basement store as " any for-profit or non-profit store including any establishment, operation, or enterprise with one or more of the following characteristics: 1) a majority of the store's merchandise is offered for sale at a price equal to or below \$5.00; 2) merchandise priced at or below \$5.00 occupies at least one-half of the store's floor area which is devoted to retail sales; 3) used items represent a majority of the merchandise offered for sale in the store; or 4) used merchandise occupies at least one-half of the floor area in the store devoted to retail sales." Used merchandise is defined as " all forms of used items including without limitation items that were formerly used but have been repaired, refurbished, and /or repackaged." The bargain basement store definition excludes: 1) bona fide antique stores; 2) "thrift stores," "pawn shops," "second-hand dealers," and "pawn shops;" 3) stores which primarily engage in the sale of used books, periodicals, videos, or DVDs; 4) stores specializing in the sale of highly collectible items such as used coins, stamps, baseball cards, and other similar collectibles; and 5) a store where the majority of the items sold, measured by receipts or number of items sold, consist of food and/or beverage items.

- Conditionally permit the use in the CG Zone; and conditionally permit the use in limited zones of the Downtown and South Centre City specific plans.
 - Gateway Transit District and Centre City Urban District of the Downtown Specific Plan.
 - 13th district of the South Centre City Specific Plan.

Bargain Stores Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Bargain stores	P	---	---	P	---	P
<i>Proposed Regulations (Generalized)</i>						
Bargain stores	CUP	---	---	CUP	---	CUP

11. Banks

Existing use authorization and/or standards:

- Permitted in nearly all commercial and industrial zones. No differentiation or limitation on drive-through facilities or ATM kiosks.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “banks and chartered financial institutions” and “check-cash/pay day and non-chartered financial institutions” and “ATM kiosks” with all zoning terms. Such an approach would allow different degrees of regulation based on the intensity type of the business. Refer to “check-cash and pay day establishments” section below.
- Continue to permit banks in all commercial zones and the East Valley and South Centre City specific plans. Continue to permit “ATM kiosks (non-drive-through)” as an accessory in all commercial and industrial zones and the Downtown, East Valley, and South Centre City specific plans.
- Prohibit banks on corner lots of the retail core area of the Downtown Specific Plan. Permit banks in all other commercial areas of the Downtown Specific Plan.
- Conditional Use Permit approval shall be required for the establishment of any use that offers drive-through facilities. This shall include drive-through uses in conjunction with, but not limited to, washing/detailing automotive services (automated or hand-washed), restaurants, coffee stands, financial institutions, retail establishments, and pharmacies. Refer to “drive through businesses and fast food establishments” section below for preliminary recommendations on standards and guidelines.

Banks Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
ATM kiosks	P	P	P	P	P	P
Banks	P	P	P	P	P	P
Banks with drive-through	P	P	P	P	P	P
<i>Proposed Regulations (Generalized)</i>						
ATM kiosks	P	P	P	P	P	P
Banks	P	P	P	P	P	P
Banks with drive-through	CUP	CUP	CUP	CUP	CUP	CUP

12. Check-Cash and Payday Establishments

Existing use authorization and/or standards:

- No listed uses or standards or guidelines. It is categorized as a financial institution or service businesses catering directly to the consumer.
- No additional standards or guidelines.

Recommendations:

- Add definitions to the Zoning Code and differentiate between “banks and chartered financial institutions” and “check-cash/pay day and non-chartered financial institutions” and “ATM kiosks” with all zoning terms. Such an approach would allow different degrees of regulation based on the intensity type of the business. Defining the “check-cash and payday establishment” use as a “Fringe Financial Service” or “Non Chartered Financial Institution” can help identify uses defined as other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term included, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term non-chartered financial institution.
- Prohibit the use, citywide.

- Clarify the prohibition of check-cash and payday establishments in the South Centre City and Downtown specific plans.

Check-Cash and Payday Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Check-cash	P	P	P	P	P	P
<i>Proposed Regulations (Generalized)</i>						
Check-cash	---	---	---	---	---	---

13. Drive-Through Businesses and Fast Food Restaurants

Existing use authorization and/or standards:

- No listed uses or standards or guidelines. It is categorized as a service business catering directly to the consumer.
- Drive-through businesses (as fast food) are permitted in the CG District of the East Valley Specific Plan and limited zones of the Downtown Specific Plan. A Conditional Use Permit is required for all types of drive-through facilities in the WM Commercial and Felicita districts of the South Centre City Specific Plan.
- Additional standards or guidelines are provided in Section 33-341 for commercial drive-through facilities.

Recommendations:

- Conditional Use Permit approval shall be required for the establishment of any use that offers drive-through facilities. This shall include drive-through uses in conjunction with, but not limited to, washing/detailing automotive services (automated or hand-washed), restaurants, coffee stands, financial institutions, retail establishments, and pharmacies. Refer to “drive through businesses and fast food establishments” section below for preliminary recommendations on standards and guidelines.
- Allow drive-through facilities, by Conditional Use Permit, in all commercial zones, as well as in the CG District of the East Valley Specific Plan and the Gateway Transit District and Centre City Urban District of the Downtown Specific Plan. Use authorization would continue to be subject to the limitations of Section 33-341, which includes a two hundred (200) foot separation requirement between drive-through facilities. Separation requirements of five hundred (500) feet in the Downtown Specific Plan will be maintained (Gateway Transit District and Centre City Urban District).

Drive-Through Businesses Zoning Comparison Table

	CG	M-1	M-2	Downtown SP	East Valley SP	SCC SP
<i>Existing Regulations (Generalized)</i>						
Businesses with drive-through	P	P	P	P	P	P
<i>Proposed Regulations (Generalized)</i>						
Businesses with drive-through	CUP	CUP	CUP	CUP	CUP	CUP

- In addition to the foregoing land use recommendations, add new standards or guidelines:
 1. Canopy. A canopy should be provided at the drive through pick-up window area (i.e. covered with a trellis or open-air canopy). In the design of the covered drive-through space, applicants shall take positive steps to protect employees of the drive-through facility from emissions caused by idling cars and “tunneling” effects. “Tunneling” will be deemed to occur where a roof/wall structure encloses a space of more than thirty (30) feet. Such situations are discouraged unless air quality analyses performed by the applicant shows that unusual pollutant concentrations will not occur.
 2. A five (5) foot-wide planter between the drive-through aisle and the parking area that includes shade trees consistent with those used in the parking areas.
 3. The architecture of drive-through uses shall be compatible and harmonize with that of the shopping center motif or immediate neighborhood in terms of building color, materials, mass, scale, and form. All building elevations should be architecturally enhanced. High quality building materials are encouraged. Reflective, glossy, and fluorescent surfaces are discouraged.
 4. When located on a site within one hundred (100) feet of any residential zone or use (measured from the nearest property lines), hours of operation for the drive- through service shall be limited from 7:00 a.m. to 10:00 p.m. daily. If the use is located greater than one hundred (100) feet from a residential use, then there are no restrictions on the hours of operation. The designated Review Authority may grant exceptions through a conditional use permit after preparation of a qualified noise study. Drive-through speakers shall not be audible from adjacent residentially zoned or used properties. Use of sound attenuation walls and landscaping shall be encouraged.
 5. Circulation. The design of the site and placement of structures shall be done in a manner that does the following:
 - Minimizes the number of driveway cuts; and
 - Provides adequate and safe queuing and maneuvering of vehicles to prevent interference with circulation of the site, adjacent uses, or queuing within/onto public ROWs.