

9.35.030 Permitted Uses (*Amended Ord. 289, 309, 316, 347, 383, 425, 440, 450, 461, 465*)

If a proposed use is not listed in this Section, the Director shall, upon written request and in accordance with Section 9.05.070, *Similar Uses*, of this Code, review the proposed unlisted use. Based on the characteristics of the proposed use, the "Standard Industrial Classification Manual" and other available resource material, the Director may determine that the proposed unlisted use is equivalent in nature and intensity to a listed use. The proposed use shall then be treated in the same manner as the equivalent listed use in determining where it can be located, what permits are required and what standards affect its establishment if the findings required in Section 9.05.070, *Similar Uses*, of this Code, can be made.

ABBREVIATIONS

O-P	Office Professional
C-G	General Commercial
C-S	Service Commercial
C-R	Regional Commercial
C-V	Village Commercial
M-U	Mixed Use
The uses listed in Table 9.35.030-A shall be allowed in the Commercial, Office and Mixed Use districts as indicated in the column beneath each district and as defined below and explained in Section 9.11.020, Table 9.11.020-A.	
CUP:	Conditional uses, subject to Conditional Use Permit process, Planning Commission review.
SUP:	Special Use Permit required.
P:	Permitted uses
"-":	Denotes those uses that are prohibited

The Conditional Use Permit process is detailed in Chapter 9.16 and the Development Permit process is detailed in Chapter 9.17 of this Code.

The uses listed in Table 9.35.030-A of this Chapter, below, apply to applications for expansion, tenant improvements, change of occupancy, or new development.

Table 9.35.030-A Permitted Uses
(See Chapter 9.36 for applicable Specific Use Standards)

TYPE OF USE ⁽¹⁾	DISTRICT ⁽¹⁾					
	O-P	C-G	C-S	C-R	C-V	M-U
A. Residential Uses						
1. Caretakers residence	SUP	SUP	SUP	SUP	SUP	SUP
2. Congregate care facilities	CUP	CUP	CUP	CUP	CUP	CUP
3. Emergency shelters/transitional housing ⁽²⁾	-	-	SUP	-	SUP	-
4. Multi-family housing	-	-	-	-	-	P
5. Small family day care homes (8 or fewer children)	-	-	-	-	-	P
6. Large family day care homes (9 to 14 children)	-	-	-	-	-	-
B. Office and Related Uses						
1. Administration and professional office	P	P	P	P	P	P
2. Administration and professional office within a shopping center:						
a. More than ten (10) percent of the overall gfa of the ground floor of the shopping center	-	SUP	SUP	SUP	SUP	SUP
b. Located on the second floor of the shopping center	-	P	P	P	P	P

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C. Alcoholic Beverage Sales and/or Production (Applicable ABC License Types)						
1. Liquor stores, no on-site consumption ^(20,21)	-	P	P	P	P	CUP
2. Convenience stores, no on-site consumption ^(20,21)	SUP	P	P	P	P	CUP
3. Grocery Stores, no on-site consumption ^(20,21,86)	-	P	P	P	P	P
4. Retail sales with on-site consumption beer and wine only ^(40,42,86) (25% or more of floor area dedicated to off-sale retail)	-	SUP	SUP	SUP	SUP	SUP
5. Commercial Recreational Facilities ^(41,47)	-	P	P	P	P	P
6. Restaurants, on-site consumption ^(41,47)	SUP	P	P	P	P	P
7. Taverns, bars, on-site consumption beer or wine only ^(40,42)	-	SUP	SUP	SUP	SUP	SUP
8. Tavern, Bar, Nightclub on-site consumption ⁽⁴⁸⁾	-	CUP	CUP	CUP	CUP	CUP
9. Small Beer Manufacturer ^(23,77)	-	-	SUP	-	-	-
10. Micro-brewery/Brewpub including food or beverage service ^(23,75,77)		SUP	SUP	-	SUP	-
11. Craft Distillery ^(6,74)	-	-	CUP	-	-	-
12. Craft Distillery with Restaurant ^(6,20,74)	-	CUP	CUP	-	CUP	-
13. Large Beer Manufacturer ⁽¹⁾			P			
D. Assembly Uses						
1. Convention and Event Centers	-	CUP	CUP	CUP	CUP	CUP
2. Private and public clubs and lodges, including YMCA, YWCA and similar youth groups	CUP	-	-	-	-	CUP
3. Recreational Assembly (Theaters, auditoriums)	-	P	P	P	P	P
4. Religious institutions ⁽⁴⁾	CUP	CUP	-	-	-	CUP
5. Places of assembly as a temporary use	TUP	TUP	TUP	TUP	TUP	TUP
6. Places of assembly as an ancillary use (subject to Chapter 9.36 of this Code)	SUP	SUP	SUP	SUP	SUP	SUP
E. Commercial Uses						
1. Commercial retail	-	P	P	P	P	P
2. Adult businesses	-	CUP	-	-	-	-
3. Animal care facility, including animal hospital veterinarian, commercial kennel, grooming						
a. Excluding exterior kennel, pens or runs	-	P	P	-	P	P
b. Including exterior kennel, pens or runs	-	CUP	CUP	CUP	CUP	-
4. Auction House - Indoor	-	P	P	-	P	-
5. Billboards (See Section 9.74.187)	-	-	-	CUP	-	-
6. Carpenter or cabinet shop	-	-	P	-	P	CUP
7. Catering establishments	-	P	P	P	P	P
8. Commissary for caterers, mobile food facilities and the like	-	-	SUP	-	SUP	-
9. Communications and cable television facilities.	CUP	CUP	CUP	-	CUP	CUP
10. Concessionaire, small kiosks not located in a parking lot.	-	P	-	P	P	P
11. Convenience stores	SUP	P	P	P	P	P
12. Drive-thru/drive up	SUP	SUP	SUP	SUP	SUP	SUP
13. Farmers Market - Open Air	-	CUP	CUP	-	CUP	CUP
14. Feed and tack, including the incidental exterior	-	P	P	P	P	SUP

storage of hay, packaged feed and related bulk feed products on site ⁽³⁾						
15. Hookah Bar/Lounge ⁽¹⁴⁾	-	SUP	SUP	SUP	SUP	SUP
16. Hotels and motels	-	P	P	P	P	P
17. Kiosks for key shops, film drops in parking lots	SUP	SUP	SUP	SUP	SUP	SUP
18. Nurseries	-	P	P	P	P	P
19. Parking lots/structures	P	P	P	P	P	P
20. Pawn shops	-	P	P	-	P	-
21. Recycling facilities for reusable domestic materials						
a. Reverse vending machines	-	P	P	P	P	P
b. Small Collection Facility - Recycling Collection Point less than 500 sq ft	-	SUP	SUP	SUP	SUP	SUP
c. Large Collection Facility - Recycling Collection Point over 500 sq ft	-	-	CUP	-	CUP	-
d. Recycling Center	-	-	CUP	-	-	-
22. Registered vehicle sales/rental including boats, trailers and Campers	-	CUP	CUP	CUP	CUP	CUP
23. Registered vehicle sales, no outdoor display	-	P	P	P	P	-
24. Restaurants (not drive thru or drive in)	P	P	P	P	P	P
a. Including Outdoor Seating	P	P	P	P	P	P
b. Including Outdoor cooking	-	SUP	SUP	SUP	SUP	-
25. Including Drive-Through Drive In	SUP	SUP	SUP	SUP	SUP	SUP
26. Storage yard/facilities, including, not limited to, boats, RV's, trucks, mini storage and equipment/supplies	-	CUP	CUP	-	CUP	CUP
27. Studios, such as photo, art, music, dance, gymnastics, martial arts etc.	P	P	P	P	P	P
28. Television/Radio broadcasting studio			P		P	
29. Swap Meets	-	P	P	-	P	P
Indoor-	-	CUP	CUP	-	CUP	-
Outdoor-						
30. Thrift or secondhand stores	-	P	P	-	P	P
31. Transportation facilities, train, bus and taxi depots, not including office only uses	-	CUP	CUP	CUP	CUP	SUP
32. Trucking facilities such as:						
a. Truck terminals	-	-	CUP	CUP	-	-
b. Truck yards	-	-	CUP	-	-	-
c. Truck repair	-	-	CUP	-	-	-
33. Outdoor sale/rental of farm and large construction equipment and small equipment	-	SUP	SUP	SUP	SUP	SUP
34. New construction of outdoor storage.	-	SUP	SUP	SUP	SUP	SUP
35. Street Vendors (Subject to Chapter 6.2 (commencing with Section 51036) to Part 1 of Division 1 of Title 5 of the Government Code)	P	P	P	P	P	P
F. Recreational Uses						
1. Health clubs/Fitness Centers	SUP	P	P	P	P	P
2. Indoor uses such as bowling, billiards, or skating rinks	-	P	P	P	P	P

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3. Outdoor uses such as golf, tennis, basketball, baseball, family amusement centers,	-	CUP	CUP	CUP	CUP	CUP
4. Arcades	-	SUP	SUP	SUP	SUP	SUP
5. Internet Cafe	-	SUP	SUP	SUP	SUP	SUP
G. Services						
1. Automotive services, including motorcycles, boats, motorhomes, trailers, and campers						
a. Gasoline stations and/or Carwash ⁽⁵⁾	-	SUP	SUP	SUP	SUP	SUP
b. Major repairs, including engine work, painting, body work, and upholstery	-	-	CUP	-	CUP	-
c. Minor repairs including such as smog check, tune-ups, tires, brakes, batteries, mufflers	-	SUP	SUP	SUP	SUP	SUP
d. Vehicle charging Stations	-	P	P	P	P	P
2. Banks/financial institution	P	P	P	P	P	P
3. Check Cashing Service	P	P	P	P	P	P
4. Day care center Child or Senior	SUP	SUP	SUP	SUP	SUP	SUP
5. Day Spas	P	P	P	P	P	P
6. Dry Cleaners	P	P	P	P	P	P
7. Hair/Nail Salons/Barber Shops	P	P	P	P	P	P
8. Laundromat	P	P	P	P	P	P
9. Medical/Health Related Services						
10. Medical/Dental Offices	P	P	P	P	P	P
11. Acupuncture/Acupressure, Chiropractic	P	P	P	P	P	P
12. Aromatherapy (CAMTC Certification Required)	P	P	P	P	P	P
13. Massage, Therapeutic (CAMTC Certification Required)	P	P	P	P	P	P
14. Mortuary	-	CUP	CUP	-	CUP	CUP
15. Cremation service	-	CUP	CUP	-	CUP	-
16. Repair of appliances, computers, TVs, and the like.	-	P	P	-	P	-
17. Spiritualist readings or astrological forecasting	-	P	P	-	P	P
H. Public and Semi-Public Uses						
1. Educational institutions						
a. Private Schools	SUP	SUP	SUP	SUP	SUP	SUP
b. Vocational and business trade schools	P	P	P	P	P	P
c. Vocational school industrial/shop related	-	-	SUP	-	-	-
2. Government Facilities	CUP	P	CUP	CUP	CUP	CUP
3. Hospitals and Convalescent facilities	SUP	SUP	SUP	SUP	SUP	SUP
4. Hospitals and Convalescent facilities Over 20 acres which may include a helipad	CUP	CUP	CUP	CUP	CUP	CUP
5. Libraries and museums, public or private	P	P	P	P	P	P
6. Public utility installations, including offices	CUP	CUP	CUP	CUP	CUP	CUP
I. Accessory Uses						
1. Antennas (Telecommunications facilities shall be subject to Chapter 9.77 of this Code.)						
a. Commercial Antennas	CUP	CUP	CUP	CUP	CUP	CUP
b. Non-Commercial Antennas under 35' in height	P	P	P	P	P	P
c. Non-Commercial Antennas over 35' in height	SUP	SUP	SUP	SUP	SUP	SUP

d. Ham radio	P	P	P	P	P	P
2. Water Storage tanks less than 5,000 gallons	P	P	P	P	P	P
more than 5,000 gallons	SUP	SUP	SUP	SUP	SUP	-
3. Liquid, petroleum or Gas (LPG) Tanks not exceeding 200 gallons	P	P	P	P	P	P
4. Liquid, petroleum or Gas (LPG) Tanks greater than 200 gallons or flammable tanks up to 2,500 gallons	SUP	SUP	SUP	SUP	SUP	SUP
5. Overnight commercial vehicle parking for vehicles not related to the on-site use and which does not reduce available parking spaces during business hours	-	-	SUP	-	-	-
6. Helipads	CUP	CUP	CUP	CUP	CUP	CUP
J. Manufacturing/Production/Wholesale Uses						
1. All uses in Table 9.45.030-A (Sections A-G) where conducted within a completely enclosed building, except for accessory outdoor storage. ⁽⁶⁾	-	CUP	P	-	-	-
2. Assembly of Products, as an ancillary use to any approved commercial use described above in Table 9.35.030.A, that is conducted within a completely enclosed building.	P	P	P	P	P	P
3. Artisan Beverage Makers						
a. Non-alcoholic - production only	-	-	P	-	-	-
b. Non-alcoholic with food or beverage service	-	P	P	-	P	P
c. Small Beer Manufacturer	-	-	SUP	-	-	-
d. Micro-brewery/Brewpub including food or beverage service	-	SUP	SUP	-	SUP	—
e. Craft Distillery	-	-	CUP	-	-	-
f. Craft Distillery with Restaurant	-	CUP	CUP	-	CUP	-
4. Upholstery conducted within a completely enclosed building		P	P	P	P	
5. eCommerce fulfillment and distribution centers (indoors) ⁽⁷⁾				P		

(1)	All uses shall be conducted within a completely enclosed building unless the use is specifically permitted in this Chapter as an outdoor use or the outdoor use is specifically approved through a Conditional Use Permit or Special Use Permit.	
	CUP:	Conditional Use Permit
	P:	Permitted Uses
	SUP:	Special Use Permit
	"-"	Denotes uses are prohibited
(2)	Fees Waived	
(3)	The incidental exterior storage of hay, packaged feed and related bulk feed products when associated with a Feed and Tack business is permitted and may be located anywhere on site to the rear of the leading edge of the building on said site or behind the required street side-yard setback area. Said stored hay, packaged feed and related bulk feed products need not be screened from view and may be stacked to a height not to	

	exceed ten (10) feet.
(4)	Regulations for Churches and Places of Assembly in Subsection 9.29.050 shall apply.
(5)	Refer to Section 9.36.190.C.1, for location restrictions for gasoline/service stations.
(6)	Only includes existing vacant buildings greater than 40,000 square feet in floor area and would be subject to the TUP regulations identified in Chapter 9.23 "Temporary Use Permits."
(7)	In the C-R District, new eCommerce fulfillment and distribution centers shall only be allowed within the 978 acres bounded by I-15 freeway to the west, Dante Road to the south and Caplet Street to the north, and the CR District's boundary to the east. Any new eCommerce fulfillment and distribution centers would be subject to Site Development Standards in Section 9.35.040; Industrial Design Standards in Chapter 9.47; and Off-street parking regulations in Chapter 9.72 and Landscaping regulations in Chapter 9.75 for industrial uses/developments. Conflicts and Clarification shall be resolved as specified in Section 9.05.080.
(13)	Property shall be located in any of the following areas: On the north and south sides of Bear Valley Road, east of Deep Creek Road; on the north and south side of Highway 18, west of Rancherías Road; and north of Thunderbird Road and east of Dale Evans Parkway Road.
(14)	A Belly Dancer entertainer is permitted to perform on a 100 square-foot dance area.

(Ord. No. 517, §§ 4, 5, 10-8-2019; Ord. No. 519, § 4, 10-22-2019; Ord. No. 520, § 3, 11-12-2019; Ord. No. 535, § 4, 9-8-2020; Ord. No. 541, § 5, 1-12-2021; Ord. No. 547, § 6, 1-11-2022; Ord. No. 565, § 4, 3-28-2023)