

Chapter 19.215**NEIGHBORHOOD COMMERCIAL OVERLAY ZONE (NC)**

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19.215.010 Purpose.

The Neighborhood Commercial Overlay Zone (NC) is established to:

- A. Provide nearby neighborhoods with commercial centers that encourage and allow residents to safely walk to a neighborhood center and promotes social interaction through the types of uses allowed. For instance, sit down restaurants are encouraged, while drive thru fast food restaurants are prohibited.
- B. Provide supplemental project review, limitations on uses, and additional development standards to address potential incompatibilities and adverse effects of commercial development that is adjacent or in proximity to residential neighborhoods. (Ord. 6966 §1, 2007)

19.215.020 Application and Permit Requirements.

- A. Application

The Neighborhood Commercial Overlay Zone may be applied to the Commercial General (CG) or Commercial Retail (CR) Zone and in combination with other overlay zones as appropriate. The Neighborhood Commercial Overlay Zone shall be applied pursuant to the procedures of Chapter 19.810 (Zoning Code Text/Map Amendment).

- B. Permit Requirements

In addition to any other permits required by the Zoning Code, no new building, structure or sign exterior alteration or enlargement of an existing building, structure, or sign shall be commenced in the Neighborhood Commercial Overlay Zone until Design Review and Site Plan Review Permit approval have been granted pursuant to Chapters 19.710 and 19.770, respectively. (Ord. 6966 §1, 2007)

19.215.030 Uses Permitted and Prohibited.

- A. Notwithstanding the use regulations applicable to the underlying base zone, the use regulations set forth in Tables 19.215.030 A (Use Regulations for the Neighborhood Commercial Overlay Zone Permitted Uses), 19.215.030 B ((Use Regulations for the Neighborhood Commercial Overlay Zone Incidental Uses) and 19.215.030 C ((Use Regulations for the Neighborhood Commercial Overlay Zone Temporary Uses) shall apply. The Tables identify permitted uses, uses that are subject to the approval of a minor or regular conditional use permit, or uses requiring other permits. Tables 19.215.030 A (Use Regulations for the Neighborhood Commercial Overlay Zone Permitted Uses), 19.215.030 B ((Use Regulations for the Neighborhood Commercial Overlay Zone Incidental Uses) and 19.215.030 C ((Use Regulations for the Neighborhood Commercial Overlay Zone Temporary Uses) also identify those uses that are specifically prohibited. Uses not listed in the table are prohibited unless the Zoning

Administrator, pursuant to the provisions of Chapter 19.060 (Interpretation of Code) determines that the use is similar to and will have no greater impact than a permitted or conditional use listed in the Tables.

- B. Where in conflict, the provisions of the Neighborhood Commercial Overlay Zone shall supersede the provisions of the underlying base zone. Where the provisions of a Neighborhood Commercial Overlay Zone are in conflict with any applicable Specific Plan (SP), the more restrictive provisions shall apply. (Ord. 6966 §1, 2007)

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Accessory Buildings & Structures A. Cargo Containers		See Incidental Uses Table
Adult-Oriented Businesses	X	9.40 - Adult-Oriented Businesses 19.240 - Adult-Oriented Businesses
Agricultural Field Office		See Incidental Uses Table
Agriculture, Horticulture and Growing of Nursery Plants (Farms, Field Crops, Flower & Truck Gardening, Orchards, Ranches & Tree Crops)	X	
Aircraft Charter Services	X	For parking see Offices - Business and Professional under 19.580
Aircraft Parts, Supplies, Merchandise and Equipment Shops	X	For parking see Vehicle Sales under 19.580
Aircraft Sales, Rental, Service, Repair and Storage	X	For parking see Vehicle Sales under 19.580
Airports - Private	X	
Airports - Public	X	
Alcohol Sales		See Incidental Uses Table
Ambulance Company with Vehicle Storage	X	5.65 - Convalescent Transport Vehicles 5.66 - Ambulances
Animal Keeping		See Incidental Uses Table
Arcades and Internet/Cyber Cafés	MC	19.245 - Arcades and Internet/Cyber Cafés
Artist Studio (Including Photo)	P	For parking see Offices - Business, and Professional under 19.580

Table 19.215.030 A Use Regulations for the Neighborhood Commercial Overlay zone Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Assemblies of People - Entertainment - Not Including Adult-Oriented Businesses (e.g., Theater - Live Performance, Motion Picture, Auditoriums, Banquet Halls, Night Clubs, etc.)	X	19.250 - Assemblies of People - Entertainment 5.24 - Dance Halls & Public Dances
Assemblies of People - Non-Entertainment (e.g., Places of Worship, Fraternal, Service Organizations, Conference Facilities, etc.)	X	19.255 - Assemblies of People - Non-Entertainment 5.24 - Dance Halls & Public Dances 5.60 - Bingo
A. Storefront	X	
Assisted Living (Residential Care Facilities)	X	19.260 - Assisted Living 5.65 - Convalescent Transport Vehicles
Astrology and Fortune-telling (Occultist)	X	9.42 - Fortunetelling & Occult Arts For parking see Offices - Business, and Professional under 19.580
Auction House (Indoor)	X	For parking see Assemblies of People under 19.580
Auxiliary Dwelling Unit		See Incidental Uses Table
Bail Bonds Office	X	19.265 - Bail Bonds Establishments For parking see Offices - Business, and Professional under 19.580
Bakery - Retail	P	For parking see Retail Sales under 19.580
Bakery - Wholesale	X	For parking see Manufacturing under 19.580
Banks and Financial Institutions/Services, Including Brokerages	P	

Table 19.215.030 A Use Regulations for the Neighborhood Commercial Overlay zone Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Bars, Saloons, Cocktail, Lounges & Taverns	C	
Bed and Breakfast Inn A. In Historic Residence (Not part of a Mixed Use Development)	X MC ¹	19.325 - Historic Residence Used for Retail Business, Office or Bed and Breakfast
Boardinghouse	X	
Boarding of Cats and Dogs/Kennels	X	19.270 - Boarding of Cats and Dogs/Kennels
Bus Terminals	X	19.275 - Bus Terminals
Business Support Services & Facilities (Including Graphic Reproduction, Computer-services, etc.)	P	
Caretaker Living Quarters		See Incidental Uses Table
Catering Establishments	X	6.08 - Regulation of Food Establishments and Food Facilities 6.09 - Regulation of Food Handlers
Cemeteries, Mortuaries & Ancillary Uses A. Crematoriums	X	
Check Cashing	X	19.280 - Check Cashing Establishments For parking see Banks and Financial Service under 19.580
Commercial Storage Facilities (Mini-Warehouse) ²		19.190 - Commercial Storage Overlay Zone
Contractor's Storage Yard	X	19.280 - Contractor Storage Yard
Day Care Centers - Child or Adult	C	19.290 - Day Care Centers - Child
Drive-thru Lanes		See Incidental Uses Table

¹ Only in a historic residence pursuant to Chapter 19.325.

² Commercial Storage Facilities are permitted in all zones with the Commercial Storage Overlay Zone (Chapter 19.190).

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Drug Store or Pharmacy - A. 2,000 sq. ft. or less B. More than 2,000 sq. ft.	P P	
Entertainment		See Incidental Uses Table
Equipment (Large) Sales and Rental	X	19.300 - Equipment (Large) Sales and Rental
Equipment (Small) Sales and Rental	X	
Farmers' Markets - Certified	MC	19.305 - Farmers' Markets - Certified
Florist Shops	P	19.310 - Florist Shops For incidental sale of alcohol see 19.450 - Alcohol Sales
Flying Schools	X	
Fueling Systems - Private (Above Ground Tanks)		See Incidental Uses Table
Furniture Upholstery	X	
Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, 6 or Fewer Occp)	X	19.315 - Group Housing
Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, more than 6 Occp)	X	19.315 - Group Housing
Hangars	X	
Heliport or Helistop	X	19.320 - Heliports and Helistops
Historic Residence Used for Retail Business, Office or Bed and Breakfast		See Bed and Breakfast Inn, Office and Retail Sales on this table
Home Improvement, Sales and Service (Hardware, Lumber and Building Material Stores) - Retail: A. Under 20,000 sf B. 20,000 sf or More	P X	See Incidental Uses Table for Outdoor Display
Home Occupations		See Incidental Uses Table

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Hotel	X	5.32 - Transient Occupancy Tax
Hotel/Motel - Long-term Stay	X	9.55 - Limitation on Continuous and Cumulative Occupancy of Transient Hotels and Motels
Motel	X	19.330 - Hotel/Motel, Long-Term Stay
Laboratories - Research	X	
Laundry, Commercial (Cleaning Plants, Industrial Laundries, Carpet and Upholstery Cleaners)	X	
Live/Work Unit	X	See Live/ Work Units "A Guide For Developers And Property Owners" 19.335 - Live/Work Units
Lumber Yard and Building Materials - Wholesale	X	See Incidental Uses Table for Outdoor Display
Manufactured Dwellings ³	X	19.850 - Fair Housing 19.100 - Residential Zones 19.340 - Manufactured Dwellings
Manufacturing (Indoors)	X	
Medical Marijuana Dispensary	X	Prohibited Use
Medical Services - Clinic, Medical/Dental Offices, Laboratory, Urgent/Express Care, and Optometrist	P	5.52 - Massage
Medical Services - Hospital	X	
Mobile Home Park	X	19.210 - Mobile Home Park Overlay Zone 5.75 - Mobile Home Parks Rent Stabilization Procedures
Model Homes	X	19.345 - Model Homes
Multi-tenant Indoor Mall	X	Prohibited Use
Multiple-family Dwelling (2 or more units)	X	19.850 - Fair Housing

³Manufactured Dwellings are only permitted in zones where single family residences are permitted.

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Offices (Administrative, Business, Executive and Professional, But Not Medical or Dental) A. In Historic Residence	P MC ¹	
Outdoor Dining and/or Food Preparation (Permanent)		See Incidental Uses Table
Outdoor Display of Incidental Plant Materials		See Incidental Uses Table
Outdoor Sales, Display and Storage		See Incidental Uses Table
Parking Lot or Parking Structure (Stand Alone)	X	
Pawn Shop	X	For parking see Retail Sales - 19.580 19.355 - Pawn Shop
Personal Services (Barber, Beauty Salon, Spa, Tailor, Dry Cleaner, Self-service Laundry, Etc.)	P	5.52 - Massage
Pet Store (Sales and Grooming, No Boarding)	P	For parking see Retail Sales - 19.580
Planned Residential Development	X	19.780 - Planned Residential Development Permit
Plant Nurseries - Retail	X	19.360 - Plant Nurseries - Retail 19.505 - Outdoor Display and Sales
Plant Nurseries - Wholesale	X	
Play Areas Incidental to Restaurants		See Incidental Uses Table
Probationer/Parolee Homes A. 2 to 6 Occupants B. More than 6 Occupants	X X	19.350 - Parolee/Probationer Home
Public Use of Public Property	C	19.365 - Public Use of Public Property
Publishing and Printing	X	For parking see Manufacturing - 19.580
Rail Transit Station	C	

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Recreational Facilities - Commercial		5.28 - Poolrooms
A. Billiard and Pool Halls	X	19.390 - Recreational Facilities - Commercial (Billiard Parlors and Pool Halls)
B. Bowling Alleys	X	
C. Skate Facility	X	
D. Amusement Parks	X	
E. Golf Courses and Driving Ranges	X	
F. Health and Fitness		
1. 4000 sq. ft. or less	C	
2. more than 4000 sq. ft.	C	
G. Other Indoor or Outdoor Facilities	X	
Recycling Center - Paper, Glass, Plastic, Aluminum and Nonferrous Metals	X	19.375 - Recycling Center - Paper, Glass, Plastic, Aluminum and Other Nonferrous Metals
Recycling Center - Solid Waste Transfer Stations and Material Recovery Facilities (MRF)	X	19.380 - Recycling Center - Solid Waste Transfer Stations and Material Recovery Facilities (MRF) - Requires and EIR
Recycling Facilities:		19.385 - Recycling Facilities
A. Indoor Collection Centers	P	
B. Reverse Vending Machines	P	
C. Bulk Reverse Vending Machines	RCP	
D. Mobile Recycling Units	RCP	
Rental of Bedrooms		See Incidental Uses Table
Repair Shop -Small Items (Computers, Small Appliances, Watches, Etc) With Incidental Sales	P	
Restaurants (sit down and take-out)	P	6.08 - Regulation of Food Establishments and Food Facilities 6.09 - Regulation of Food Handlers
Retail Sales		
A. In Historic Residence (Not part of a Mixed Use Development)	P	
Retail Sales With Incidental Repairs (Except as Noted in this Table)	P	

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Retail Sales Ancillary to a Manufacturing Use On-site (Floor area not to exceed 15% of gross floor area up to a maximum of 7,500 sq ft)	X	19.390 - Retail Sales Ancillary to a Manufacturing Use
Schools:		19.395 - Schools
A. College, Community College, University and Professional (Public & Private)	X	
B. Public & Private (Nursery & Grades K-12)	X	
C. Vocational and Technical Total Enrollment 20 persons or less or a total size of 2,000 sq. ft. or less	X	
D. Total Enrollment more than 20 persons or a total size greater than 2,000 sq. ft.	X	
E. Specialty Non-degree (Dance and Martial Arts)	MC	
Second Dwelling Unit		See Incidental Uses Table
Shelters, Homeless (2 to 6 occupants) - Drop-in - Emergency (Permanent) - Transitional	X	19.400 - Shelters - Drop-in, Permanent Emergency, Homeless or Transitional
Shelters, Homeless - (more than 6 occp) - Drop-in - Emergency (Permanent) - Transitional	X	19.400 - Shelters - Drop-in, Permanent Emergency, Homeless or Transitional
Shopping Center: Regional		
A. Up to 5 Acres	X	
B. More than 5 Acres	X	
Showroom	X	
Single-family Dwelling - Detached	X	Chapter 19.850 - Fair Housing
Single-family Dwelling - Attached	X	Chapter 19.850 - Fair Housing.
Sober Living Homes	X	For parking see Single Family Dwelling - 19.580

Table 19.215.030 A		
Use Regulations for the Neighborhood Commercial Overlay zone		
Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Student Housing, Including Fraternities, Sororities and Dormitories	X	
Subdivision Sales Trailer and/or Office During Construction		See Temporary Uses Table
Tattoo and Body Piercing Parlors	X	19.405 - Tattoo and Body Piercing Parlors For parking see Medical Services - 19.580
Taxi Company with Vehicle Storage	X	
Temporary Uses		See Temporary Uses Table
Truck Terminal	X	
Vehicle Dismantling & Wrecking	X	Prohibited Use
Vehicle Fuel Stations (i.e. Gasoline Stations)	X	5.64 - Motor Vehicle Fuel Pricing 19.410 - Vehicle Fuel Stations
Vehicle Impound Yards	X	19.415 - Vehicle Impound Yard
Vehicle Parts and Accessories	X	
Vehicle Repair Facilities - Major (Indoor)	X	19.420 - Vehicle Repair Facilities
Vehicle Repair Facilities - Major (Outdoor - fully screened)	X	19.420 - Vehicle Repair Facilities
Vehicle Repair Facilities - Minor (Indoor)	X	19.420 - Vehicle Repair Facilities
Vehicle Repair Facilities - Minor (Outdoor - fully screened)	X	19.420 - Vehicle Repair Facilities
Vehicle Sales, Rental and Leasing - New and Used (No Outdoor Display)		See Retail Sales in This Table
Vehicle Sales, Rental and Leasing - New and Used (Outdoor Display)	X	
Vehicle Wash Facilities	X	19.425 - Vehicle Wash Facilities
Veterinary Services:		
A Clinics and Small Animal Hospitals (short term boarding)	C	
B. Incidental to a Pet Shop	MC	

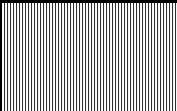
Table 19.215.030 A Use Regulations for the Neighborhood Commercial Overlay zone Permitted Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Warehousing & Wholesale Distribution Centers: 400,000 s.f. or less Greater than 400,000 s.f.	X X	
Wireless Telecommunication Facilities and Related Support Structures		19.530 - Wireless Telecommunications Facilities and Related Support Structures

Table 19.215.030 B Use Regulations for the Neighborhood Commercial Overlay zone Incidental Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Accessory Buildings & Structures A. Cargo Containers	P X	19.440 - Accessory Buildings & Structures
Agricultural Field Office	X	19.445 - Agriculture Field Office
Alcohol Sales A. Off-sale ⁴ Incidental to Florist Shop B. On-sale ⁴ C. Concurrent Sale of Vehicle Fuel with Alcoholic Beverages	C MC MC X	19.310 - Florist Shops 19.450 - Alcohol Sales
Animal Keeping A. Domestic Animals up to 4 B. Domestic Animals over 4 C. Non-Domestic Animals up to permitted D. Non-Domestic Animals over permitted E. Dairies F. Riding Stables & Academies G. Bees H. Earthworms I. Aviaries	X X X X X X X X X	19.455 - Animal Keeping
Auxiliary Dwelling Unit (Granny Housing)	X	19.460 - Auxiliary Dwelling Unit (Granny Housing)

⁴See exemptions noted in 19.450 - Alcohol Sales

Table 19.215.030 B Use Regulations for the Neighborhood Commercial Overlay zone Incidental Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Caretaker Living Quarters		19.465 - Caretaker Living Quarters
A. Agricultural	X	
B. Industrial Uses & Commercial Storage	X	
C. Temporary During Construction	TUP	
Day Care Homes - Large Family	X	19.470 - Day Care Homes - Family
Day Care Homes - Small Family	X	19.470 - Day Care Homes - Family
Drive-thru Businesses	X	19.475 - Drive-thru Businesses
Entertainment	X	See Article X (Definitions)
Fuel Systems - Private (Above Ground Tanks)	X	19.480 - Fueling Systems - Private (Above Ground Tanks)
Home Occupations	X	19.485 - Home Occupations
Mining/Mineral Extraction	X	19.490 - Mining/Mineral Extraction
Outdoor Dining and Food Preparation (Permanent)	MC	19.495 - Outdoor Dining and Food Preparation (Permanent)
Outdoor Display of Incidental Plant Materials	P	19.500 - Outdoor Display of Incidental Plant Materials
Outdoor Display and Sales ⁵	X	19.505 - Outdoor Display and Sales
Outdoor Storage	X	19.510 - Outdoor Storage
Play Areas Incidental to Restaurants	X	19.515 - Play Areas Incidental to Restaurants
Rental of Rooms	X	19.100 - Residential Zones 19.520 - Rental of Rooms
Second Dwelling Units	X	19.525 - Second Dwelling Units
A. If all required standards cannot be met	X	
Wireless Telecommunication Facilities and Related Support Structures		19.530 - Wireless Telecommunication Facilities and Related Support Structures

⁵Outdoor Sales and Display are permitted with a TUP see 19.740.

Table 19.215.030 C Use Regulations for the Neighborhood Commercial Overlay zone Temporary Uses		
Use	NC Overlay	Location of Required Standards in the Municipal Code
Caretaker Living Quarters - Temporary During Construction	TUP	19.465 - Caretaker Living Quarters
Christmas Tree and Pumpkin Sales (Seasonal)	TUP	
Circus (With Tent)	TUP	
Dwelling Unit (Motor Home, RV, Camper, etc.)	X	
Fair, Concert, Exhibit or Similar Uses	TUP	
Mobile Medical Units for Humans	TUP	
Non-Commercial Car Wash	TUP	
Non-Commercial Tent Meetings	TUP	
Outdoor Preparation of Food (Temporary)	TUP	19.495 - Outdoor Dining and Food Preparation
Parking Lot Sales (Outdoors or in Mobile or Temporary Enclosures)	TUP	
Special Events (Running Events, Parades, Block Parties etc.)		Special Event Permits are administered by the Police Department pursuant to 2.28
Subdivision Sales Trailer and/or Office During Construction	TUP	
Vapor Recovery Operations	TUP	

19.215.040 Additional Development Standards.

The Planning Commission, through the Site Plan Review Permit or other required discretionary permit review process, may establish development standards different from those of the underlying base zoning district on a case-by-case basis to ensure compatibility with adjacent residential neighborhoods and to minimize any potential adverse effects of the commercial development. (Ord. 6966 §1, 2007)