

# AGENDA REPORT

## City Council

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**MEETING DATE:** October 22, 2014

**PREPARED BY:** Councilmembers  
Barth & Shaffer

**DEPARTMENT:** City Council

**CITY MANAGER:** Gus Vina

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**SUBJECT:**

Report to City Council from the Pacific View Site Activation Plan Subcommittee

**RECOMMENDED ACTION:**

The Subcommittee is recommending that the Council direct staff to move forward with taxable bonds. This option gives the city the greatest flexibility. Additionally, interest rates between the two bond types are not significantly different.

As to the use, based on public input and existing zoning, the Subcommittee proposes that the site be identified for use as an Arts, Education and Community Gathering Place with an emphasis on Theaters, Museums, Education, Outdoor Sales/Swap meets and park/recreation space, consistent with uses permitted in the P/SP zone either by right or with a Minor or Major Use permit (see analysis below.)

The Subcommittee also recommends that the Engineering and Public Works Department be directed to evaluate the usability of the existing buildings/structures on site, based on the above stated uses. Specifically, identify which structures are not viable and should be removed; and which can be made safe and usable.

Next Steps:

If the council accepts the above recommendations, schedule additional Subcommittee meetings to address:

- Escrow closing event/party at Pacific View (January 2015)
- Review Engineering and Public Works evaluation of existing buildings; basic site improvements.
- Develop interim use policies and invite proposals. Consider individual tenant agreements, city managed programs and/or master Major Use permit.
- Initial selection of interim uses.

- Develop visioning process for long-term use.

### **STRATEGIC PLAN:**

Arts & Culture Focus Area:

Embrace great places to gather that showcase the City's arts and culture, history, and community charm and character.

Goals:

- Expand arts and performance venues that provide more diverse opportunities.
- Partner with groups to expand and leverage opportunities to grow the arts and culture venues

### **FISCAL CONSIDERATIONS:**

There are staff resources required to support the subcommittee process. Bond costs, facility improvements and initial operational costs are identified in the current Budget.

### **BACKGROUND:**

At the September 17, 2014 Council meeting, City Council established a subcommittee of Councilmembers Barth and Shaffer to review the Pacific View Activation Plan (Attachment 1) presented by Deputy Mayor Kranz and Councilmember Shaffer.

In light of the Council discussion at the Sept. 17 meeting concerning the issue of tax exempt versus taxable bonds, Councilmembers Barth and Shaffer determined that the first Subcommittee meeting be limited to discussion of financing options, review of public/semi-public (P/SP) zoning allowable uses, the cost and timeline for Minor or Major Use Permits and potential interim uses. (Attachment 2) Discussion on the other items identified in the proposed plan would take place at future Subcommittee meetings.

The Subcommittee meeting was held on Monday, October 6, 2014, Noon -2pm. In addition to Councilmembers Barth and Shaffer, the meeting was attended by approximately 35 members of the public, as well as City Manager Vina, Finance Director Tim Nash, Planning Director Jeff Murphy, Finance Manager Jay Lembach, Senior Planner Roy Sapau, Arts Administrator Jim Gilliam and Kim Byrens, bond counsel, Best Best & Krieger LLP.

Kim Byrens presented information on the basic differences between taxable and tax-exempt bonds. (Attachment 3) with an emphasis on how private use is determined by the IRS.

The discussion of the city's zoning matrix (Attachment 4) and allowable uses in the P/SP zone generated numerous questions. A number of permitted uses were identified and we identified the possible need for Planning Commission interpretation of listed uses (i.e. Hiring Hall, Swap Meet, and if an Arts Administrative Office was an allowed use.)

Other issues including traffic, parking impacts and noise would be addressed when use(s) are determined.

## **ANALYSIS:**

The overall approach recommended by the Subcommittee is to seek Council agreement on a high-level vision for the long-term use of the Pacific View site. Interim uses should fit within that long-term vision and be selected in part for their potential to help move the community toward that ultimate set of uses. The Subcommittee recommends that we agree on the themes of Arts, Education and Community Gathering Place with an emphasis on Theaters, Museums, Education, Outdoor Sales/Swap meets and park/recreation space for both the interim uses and ultimate vision.

We considered different strategies for deciding which interim uses to pursue, i.e., maximizing short-term revenue or maximizing community benefit and progress toward the greater vision. There was strong support at the Subcommittee meeting for the latter strategy. Several speakers expressed their view that outside funding for an arts/theater/education facility could be accomplished fairly easily if we can define a clear vision and a path forward. Spending effort now to raise short-term funds could be a distraction and harm longer-term success.

There was concern expressed by some small nonprofit arts organizations about the cost of a minor or major use permit. The Planning Director confirmed that it could be possible to secure one major use permit that encompassed multiple activities on the site, even if they were conducted by different organizations. So if one entity could coordinate the effort, all the uses could be covered in one permit. The Subcommittee is confident that private funding for permitting costs is very do-able, and initial commitments have already been made to cover the permit fees. We propose to organize a meeting of the Subcommittee to focus on how to organize and pay for the needed permits, assuming Council support for the overall approach. We hope to be able to process a permit in parallel with site clean-up efforts.

There is a strong desire to get some activity going on site as soon as it is legal and safe to do so. Community arts organizations offered to organize a free concert as part of the opening celebration that the Subcommittee proposes should take place as early in 2015 as possible. The event should be a combination of a celebration and a work party where residents can help with site cleanup and sponsors may be found to donate materials. There is much work to be done, but a strong and positive energy in the community and an eagerness to move forward.

## **ENVIRONMENTAL CONSIDERATIONS:**

There are no environmental considerations associated with this agenda report. Environmental considerations will be addressed during the use permitting process.

## **ATTACHMENTS:**

Attachment 1: Pacific View Activation Plan

Attachment 2: Subcommittee Meeting Agenda

Attachment 3: BB&K Memorandum

Attachment 4: Zoning Use Matrix (Chapter 30.09 of the Municipal Code)

Attachment 5: Power Point Presentation (corrected after the 10/6 Subcommittee meeting)

Attachment 6: Public Correspondence Received

# Pacific View Site Activation Plan Subcommittee

Oct. 6, 2014

# EUSD Auction



**OR**

# City Purchase



# Agenda

1. Welcome, Introductions
2. Public Comments On Agenda Related Items
3. Pacific View Financing Options & Recommendation  
(presentation by BB&K; subcommittee discussion)
4. Pacific View Interim Uses
5. Discussion Of Recommendations To Council
6. Additional Public Comments On Agenda Related Items
7. Adjourn

# Purpose of the Subcommittee

Recommend to Council:

- Financing strategy (taxable/tax-exempt)
- Interim Uses
- Ultimate visioning process

# Financing

- Report from bond counsel
- Discussion & recommendation

# PV Interim Uses

- Possible Goals
  - Maximize revenues
  - Maximize public uses
  - Do whatever is legal within current constraints

# Zoning - a place for everything

Uses expressly prohibited in P/SP zone  
and allowed in other zones

- Art Gallery
- Music Conservatory
- Dance Studio
- Glass Studio (stained and others)
- Motion Picture Studio
- Photographic Studio
- Pottery Manufacturing
- Pottery Sales
- Recording Studio
- Toy Manufacturing
- Wire Fabrication
- Wood Products Manufacturing
- Wood Products Sale, retail

# Relevant Possible Allowed Uses in P/SP?

## **WITHOUT A PERMIT** (by right)

- Educational institution (public)
- Sheriff storefront (code enforcement)
- Theater, Auditorium, “Places of public assembly”
- Camp host (caretaker)
  - accessory to principal use
- Arts administrator offices (TBD)
- Museum
- Parks and Recreational Areas

# Possible Allowed Uses in P/SP?

## MINOR USE PERMIT

- Farmer's Market
- "Outdoor sales"
- Swap meet (sharing economy) pop-up space
- "Hiring hall" – *innovation hub/networking space?*
- Surf shop (sales & manufacturing)
- Commercial Recreational Courts

## MAJOR USE PERMIT

- Private schools
- Private Camp [*theater/ arts camp? Day camp?*]
- Parking/101 Valet
  - EV Charging Facility
- Open air theater
- Youth hostel
- Recycling facility

# Zoning, cont.

- Within existing P/SP
  - Minor use permit may take 6-9 months
  - Major use permit 9-12 months
  - Coastal Development Permit (concurrent 3-9 months)
- To change zoning
  - General Plan Amendment
  - Downtown Specific Plan Amendment
  - Local Coastal Program Amendment

# Possible Costs

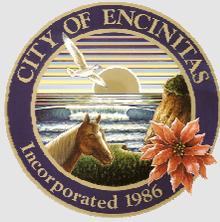
- No use permit, but CDP
  - \$1600 + \$50 for environ exemption fee if appropriate
- Minor use permit
  - \$1600 (includes cost of CDP)
- Major use permit
  - \$6000 (includes CDP cost)

# Issues

- Traffic & parking impacts on neighborhood
  - How much could be parked on site
- Noise
- Transition to future ultimate use
- Who's in charge (city staff/subcontract property management)
- Historic school

# Draft Timeline

- Oct. 2014 - Council approves financing strategy
- Nov. 2014 - Bonds are sold; City closes escrow
- Nov. 2014 - June 2015 – City assessment of building conditions; basic site improvements
- Nov - Jan. - develop interim use policies and invite proposals
- Jan/Feb. 2015 - initial selection of interim uses; users could start permitting process
- Early 2015 - Begin visioning process for longer-term
- Summer 2015 - approved outdoor uses could begin, subject to permit approval.



**CITY OF ENCINITAS**  
**CITY COUNCIL PACIFIC VIEW ACTIVATION**  
**SUBCOMMITTEE**  
**MEETING NOTICE/AGENDA**  
**Council Chambers, Civic Center**  
**505 South Vulcan Avenue**  
**Monday, October 6, 2014 at 12:00 p.m.**

THE CITY OF ENCINITAS IS AN EQUAL OPPORTUNITY PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. PLEASE NOTIFY THE COMMITTEE SECRETARY AT LEAST 72 HOURS BEFORE THE MEETING IF DISABILITY ACCOMMODATIONS ARE NEEDED.

**Public comments on agenda items limited to three (3) minutes per speaker. Please submit a “pink” speakers slip if you wish to speak during the Public Comments section of the agenda.**

1. **WELCOME, INTRODUCTIONS**
2. **PUBLIC COMMENTS ON AGENDA RELATED ITEMS (3 MINUTES /SPEAKER)**
3. **PACIFIC VIEW FINANCING OPTIONS & RECOMMENDATION**
  - A. PRESENTATION BY BB&K
  - B. SUBCOMMITTEE DISCUSSION
4. **PACIFIC VIEW INTERIM USES**
5. **DISCUSSION OF RECOMMENDATIONS TO COUNCIL**
6. **ADDITIONAL PUBLIC COMMENTS ON AGENDA RELATED ITEMS (3 MINUTES /SPEAKER)**
7. **ADJOURN**

I, Brandi Lewis, certify that I caused the above Notice/Agenda to be posted on the City Hall bulletin board on Wednesday, October 1, 2014

*Brandi L. Lewis*

**Council Secretary**

**Memorandum**

**TO:** Council Subcommittee for the Pacific View Site Activation Plan

**FROM:** Best Best & Krieger LLP

**DATE:** October 2, 2014

**RE:** Pacific View Property - Private Use

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The Pacific View property is currently under due diligence review by the City of Encinitas for potential purchase. The City is considering several possible uses for the property, though it has not settled on any particular use or the manner of operation. When considering the possibility of tax-exempt financing of the property, the expected use and operation of the property is crucial to the determination of whether all or a portion of the property may be financed with tax-exempt bonds.

For your and the Council's consideration we have prepared a few scenarios which set outside limits for tax-exempt financing. For federal tax purposes, the property must be used for public purposes and not for the benefit of any private user. Bonds are private activity bonds if they meet either (1) the private business use and private security or payment test of § 141(b) or (2) the private loan financing test of § 141(c).

Generally, the private business tests are met if (1) more than 10% of the proceeds of an issue is used in a trade or business carried on by a nongovernmental person (the "private business use test") and (2) the payment of principal or interest on more than 10% of the issue is directly or indirectly (a) secured by property used or to be used for a private business use or payments in respect of such property or (b) to be derived from payments in respect of property used for a private business use (the "private payments or security test").

These 10% limitations are reduced to 5% for private business uses that are unrelated or disproportionate to the governmental uses financed by the issue and for payments or security relating to such uses. The private loan financing test generally is met if more than the lesser of 5% or \$5 million of the issue is to be used to make or finance loans to nongovernmental persons.

Private use is measured by the overall area of the use and the duration of the use compared to the life of the outstanding bonds. We also look at all uses on a cumulative basis for determine private use and public use. We also wish to note that we think it will be very difficult to split the uses on the property for purposes of determining whether separate portions of the property may be financed with tax-exempt or taxable bonds, as the size of the property is small enough that essentially all of the property will be used for one use at a time.

We have discussed possible interim uses for the property while the City determines its ultimate permanent use. The interim uses are as important as the ultimate use when considering whether the property may be financed on a tax-exempt basis. Suggested interim uses include an open air market, downtown valet parking services, or educational services

geared toward the arts. Additionally, we are aware that the Encinitas Historical Society currently uses a portion of the property and the old school house located on the site. The use by the Historical Society constitutes a private use.

Utilizing an open air market as an example for determining whether there is public or private use is illustrative of public and private uses generally.

1. Public Uses – an open air market that was operated by the City would most likely be a public use. The City would need to be the organizer of the market, get vendors, permit them and generally operate and manage the open air market. Vendors would be able to obtain permits on a first come first serve basis. This constitutes public uses if the individual vendors compete for access on the same basis as the general public and is a use that does not endanger the tax exemption of the bonds.

2. Private Use - private use in the example of an open air market could be a private individual or company that leases the property from the City, or has the right to exclusive use of the property, and organizes vendors to sell at the open air market which it would operate as its business. This use is a private use and would not permit tax-exempt financing.

3. Permitted Private Use- in some circumstances, a private person could operate the open air market without jeopardizing the tax exempt status of the bonds. A private business operating the market for the City under a qualified management contract does not constitute impermissible private use. The City already has experience with its type of arrangement in the operation of the golf course. There are many limitations on the length of the term of the contracts and the amount and manner of compensation paid to the manager. Additionally, the manager could be a qualified non-profit 501c(3) corporation. There are limitations on the length of use and the manner of compensation as well. Additionally, there are certain actions which need to be taken by the City (such as another public hearing), and there will be limitations on the City's ability to pay costs of issuance from bond proceeds.

For purposes of this discussion, we have tried to be very general and give the City Council outside limits for consideration of how it might want to proceed. These same rules would apply if the property would ultimately be used for any other purpose, for example, as a performing arts center. Alternatively, the Council may determine that a portion of the property, for example, existing structures on the property, are amenable to a private use, but that the open space will be held for public recreational use. Ultimately, every use, that is not a traditional governmental use on the property, would need to be reviewed by bond counsel to ensure compliance with tax-exempt bond provisions in the Code and the documents, prior to the use being permitted.

Alternatively, the City could finance the purchase of the Pacific View property with the proceeds of taxable bonds. Taxable bonds do not have restrictions as to use, other than compliance with state law. The City could use the property to allow open air markets, educational uses (whether for profit or non-profit), and any other viable interim or final use. These uses would not need initial review by bond counsel. Additionally, the users could pay the City for the uses, either as lease payments or a split of fees received.

On a final note, we wish to point out that the IRS has undertaken a very active audit program of public agencies regarding use of proceeds and investments. Most of the audits are conducted randomly, however there are certain target audits that the IRS will conduct in given years. The IRS looks at all of the uses of the proceeds of the bonds and the facilities financed with the tax-exempt bonds. If they conclude that the limitations as to permissible private use have been violated, they will declare the bonds taxable from the date of issuance and seek to tax the owners of the bonds or require the issuer of the bonds to make a payment to the IRS to settle the audit. This audit program is one reason we, as bond counsel, try to be vigilant as to the uses of the properties that are financed on a tax-exempt basis.

Because of the potential uses for the property that the City has discussed with the public, in particular the interim uses, in addition to the current use by the Historical Society on a portion of the property, we believe that it is most prudent for the City to use taxable bonds to finance the purchase of the Pacific View property.

Kim Byrens  
Best Best & Krieger LLP

## CHAPTER 30.09

ZONING USE MATRIX

The Zoning Use matrix below provides a listing of the various land uses which are allowed by right or use permit and those which are prohibited within each of the City's zoning categories. In addition to the matrix below, individual Specific Plans provide a listing of various land uses allowed by right or use permit within each of the Specific Plan's zoning categories. Refer to individual specific plans, as referenced in Chapter 30.84, Specific Plans, for a listing of allowed land uses. The following symbols are used to describe the relationship of the listed uses to each of the zones: (Ord. 94-02).

- “P” indicates that a use is permitted by right;
- “C” indicates that a Major Use Permit is required;
- “Cm” indicates that a Minor Use Permit is required;
- “X” indicates that a use is prohibited.

<b>RR</b>	<b>= Rural Residential</b>
<b>R</b>	<b>= Residential</b>
<b>MHP</b>	<b>= Mobile Home Park</b>
<b>OP</b>	<b>= Office Professional</b>
<b>LC</b>	<b>= Local Commercial</b>
<b>GC</b>	<b>= General Commercial</b>
<b>VSC</b>	<b>= Visitor Serving Commercial</b>
<b>LI</b>	<b>= Light Industrial</b>
<b>BP</b>	<b>= Business Park</b>
<b>P/SP</b>	<b>= Public/Semi-Public</b>
<b>ER/OS</b>	<b>= Ecological Resource/Open Space</b>
<b>L-LC</b>	<b>= Limited Local Commercial</b>
<b>L-VSC</b>	<b>= Limited Visitor Serving Commercial</b>

Use	Zoning uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Accessory Building	P	P	P	P	P	X	P	P	P	P	P	P	X	P	P
Adult Business (Ord. 2002-02) (City Clerk permit possible)	X	X	X	X	X	X	X	P****	X	X	X	X	X	X	X
Agricultural Equipment (Sale or Rent)	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Agricultural & Horticulture Production (Ord 95-04)	Cm	Cm	Cm	Cm	X	Cm	Cm	Cm	X	Cm	Cm	X	Cm***	X	X
Agricultural & Horticulture Packing (Ord 94-11)	C	C	C	C	X	C	C	C	X	C	C	X	X	X	X
Agricultural – Road-side stand (when adjacent to Circulation Element Road)	Cm	Cm	Cm	Cm	X	Cm	Cm	Cm	Cm	Cm	Cm	X	X	X	X
Alcoholic Beverage, Sales - off premise (Ord 91-03)	X	X	X	X	X	X	X	P	P	X	X	X	X	X	Cm
Ambulance Service (Private)	X	X	X	X	X	X	X	P	X	P	P	P	X	X	X
Animal Grazing & Raising (Ord 95-04)	P*	P*	X	X	X	X	X	X	X	X	X	X	C**	X	X

P = Permitted by Right

C = Conditional Use permit Required (Major)

Cm = Conditional Use Permit Required (Minor)

X = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

\* See Animal Regulations (Chapter 30.55)

\*\* Not permitted within coastal zone ecological resource areas.

\*\*\* Limited to aquaculture uses (as defined by this Title) within the coastal zone.

\*\*\*\* This use must still meet the locational requirements of Title 30.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L- VSC
Animal Shelter	X	X	X	X	X	X	X	C	X	C	X	C	X	X	X
Antique Sales, Retail (City Clerk permit possible)	X	X	X	X	X	X	P	P	Cm	P	X	X	X	X	Cm
Appliance Sales & Repairs (Household & Small Appliances)	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Aquarium, Comm.	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Arcade Accessory (Non-Adult) (City Clerk permit possible)	X	X	X	X	X	X	P	P	P	X	X	X	X	Cm	Cm
Arcade Primary (Non-Adult) (City Clerk permit possible)	X	X	X	X	X	X	Cm	Cm	Cm	X	X	X	X	X	Cm
Art Gallery	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P
Athletic Field	C	C	C	C	C	X	C	C	C	C	C	P	C*	X	X

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Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Auction House (City Clerk permit possible)	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Auditorium	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X
Automobile Body Repair	X	X	X	X	X	X	X	C	X	P	C	X	X	X	X
Automobile Elec. & Tune-up	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Automobile Repair Garage	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Automobile Painting	X	X	X	X	X	X	X	C	X	P	C	X	X	X	X
Automobile Rental	X	X	X	X	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Auto Sales, New and Used	X	X	X	X	X	X	X	Cm*	X	C	X	X	X	X	X

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\* Incidental Repairs permitted per State certification requirements

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Bakery (Retail)	X	X	X	X	X	P****	P	P	P	P	C	X	X	P	P**
Bakery (Wholesale)	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Bank/Savings & Loan	X	X	X	X	X	P	P	P	X	X	P	X	X	X	X
Barber & Beauty Shop (Cosmetologist)	X	X	X	X	X	P****	P	P	P****	X	C	X	X	P	P**
Bar/Cocktail Lounge	X	X	X	X	X	X	X	C	C	X	X	X	X	X	Cm
Bicycle Sales, Rental & Service	X	X	X	X	X	X	P	P	P	P	X	X	X	P	C/P**
Billiard, Pool Hall (City Clerk permit possible)	X	X	X	X	X	X	X	P	Cm	X	X	X	X	X	X
Bird Raising	P*	P*	X	X	X	X	X	X	X	P	X	X	X	X	X

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\* See Animal Regulations (Chapter 30.55)

\*\* Permitted in conjunction with a hotel or visitor service complex.

“C” is required when use stands alone or P\*\* when use is accessory to hotel

\*\*\* Permitted when in conjunction with a hotel or office/professional complex

\*\*\*\* Ancillary Use

All Home-Based businesses, please refer to Chapter 30.48.040L.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Blueprinting & Photostatting	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X
Boat Building	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Boat Rental	X	X	X	X	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Boat Sales	X	X	X	X	X	X	X	Cm	C	P	X	X	X	X	X
Body Painting	X	X	X	X	X	X	X	Cm	X	X	X	X	X	X	X
Bookbinding	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Book Sales	X	X	X	X	X	P	P	P	P	X	P	X	X	P	P
Borrow Pit	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X
Bottling Plant	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Bowling Alley	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Building Materials Sales Enclosed	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Building Materials Storage Yard	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X

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Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Burial Casket Sales	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Burial Casket Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Cabinet Shop	X	X	X	X	X	X	X	Cm	X	P	X	X	X	X	X
Camps (Ord. 95-04)	X	X	X	X	X	X	X	X	X	X	X	C	C*	X	X
Candle Manufacturing	X	X	X	X	X	X	X	Cm	X	P	X	X	X	X	X
Candy and Confectionery Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Candy & Confectionery Sales	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Canvas Manufacturing	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X

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**Cm = Conditional Use Permit Required (Minor)**

**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

\* Not permitted within coastal zone ecological resource areas.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Car Wash (Ord. 89-41)	X	X	X	X	X	X	X	Cm	X	Cm	X	X	X	X	X
Carpet & Rug Cleaning Plant	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Catering Service	X	X	X	X	X	X	P	P	X	P	C	X	X	X	X
Cellophane Products Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Cellular Facility (Ord 95-04)	C	C	C	C	C	P	P	P	P	P	P	P	C*	P	P
Cemetery	C	C	C	C	X	X	X	X	X	X	X	C	X	X	X
Ceramic products Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Charitable Bins & Depositories	X	X	X	X	X	X	P	P	X	P	P	P	X	Cm	X
Church/Temple/Religious Institution	C	C	C	C	X	C	C	C	X	X	C	C	X	C	X

P = Permitted by Right

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X = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

\* Not permitted within coastal zone ecological resource areas.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Clock Manufacturing	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Clothing Rental	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Club, Private	X	X	X	X	X	C	C	C	X	C	C	X	X	X	X
Club, Athletic or Recreational	X	X	X	X	X	C	C	C	C	C	C	X	X	X	X
Club, with Alcohol Sales	X	X	X	X	X	X	X	C	C	C	C	X	X	X	C
Coins, Purchase and Sales	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Cold Storage Plant	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Communications Equipment Manufacturing	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Conservatory of Music	X	X	X	X	X	X	P	P	X	P	P	X	X	X	X
Contractor Storage Yard	X	X	X	X	X	X	X	C	X	C	X	X	X	X	X
Convenience Store	X	X	X	X	X	X	P	P	P	X	X	X	X	Cm	X
Convent and Monastery	C	C	C	C	X	X	X	X	X	X	X	C	X	X	X
Cork Products Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Corrugated Paper Products Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X

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**X** = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
<b>Cosmetic Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Cosmetic Design Studio</b>	X	X	X	X	X	P*	P	P	X	P	P	X	X	X	X
<b>Costume Rentals</b>	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
<b>Custom Manufacturing (Ord. 91-03)</b>	X	X	X	X	X	X	X	P	P	P	P	X	X	X	X
<b>Courts, Commercial (Badminton, Tennis, Racquetball, Others)</b>	X	X	X	X	X	Cm	Cm	Cm	Cm	Cm	Cm	Cm	X	X	C
<b>Cutlery Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
<b>Day Care Center</b>	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	X	Cm	Cm	X	X	Cm	X
<b>Dairy Store</b>	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
<b>Dance Hall (City Clerk permit possible)</b>	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**\*Ancillary Use**

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Dance Studio	X	X	X	X	X	Cm	P	P	X	X	Cm	X	X	Cm	X
Delicatessen	X	X	X	X	X	P*	P	P	X	P	C	X	X	Cm	X
Dental Clinic	X	X	X	X	X	P	P	P	X	X	Cm	X	X	X	X
Department Store	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Die Casting	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X
Distributing Plant	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Dressmaking Shop	X	X	X	X	X	X	P	P	X	X	P	X	X	X	X
Drive-Through Restaurant (94-11)	X	X	X	X	X	X	X	C	C	X	X	X	X	X	X
Drug Wholesale	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X

P = Permitted by Right

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Cm = Conditional Use Permit Required (Minor)

X = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

\*Ancillary Use

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Drug Store	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Dry Cleaning, Retail and Self-Service w/on site cleaning permitted	X	X	X	X	X	X	P	P	**P	X	X	X	X	X	**P
Dwelling Unit, Caretaker - Accessory to the principal use. (Ord. 97-17)	X****	X****	X****	X****	X****	X****	X****	P***	P***	P***	P***	P***	Cm***	X****	X****
Dwelling Unit, One-Family	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X
Dwelling Unit, Two-Family	X	X	*P	P	X	X	X	X	X	X	X	X	X	X	X
Dwelling Unit, Three-Family	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X
Dwelling Unit, Multiple Family	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X

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\* Duplex is a permitted use on lots of 5,000 SF. gross or greater that existed prior to adoption of this Code.  
 For R-15 zones. (Ord. 89-41)  
 \*\*Dry Cleaning is permitted provided that this service is accessory to the main function of a hotel or motel (Ord. 90-12)  
 \*\*\*Not permitted within coastal zone ecological resource areas.  
 \*\*\*\*Unless permitted as accessory use in conjunction with a Major or Minor Use Permit. (Ord. 97-17)

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Educational Institution, Private</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>X</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>X</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>X</b>	<b>C</b>	<b>X</b>
<b>Educational Institution, Public Ord. 95-04</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>Cm*</b>	<b>P</b>	<b>P</b>
<b>Electrical Appliance Assembly</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>C</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Electrical Distribution Substation</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>X</b>	<b>C</b>	<b>C</b>
<b>Electrical Sign Manufacturing</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>C</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

**P = Permitted by Right**  
**C = Conditional Use Permit Required (Major)**  
**Cm = Conditional Use Permit Required (Minor)**

**\*Within coastal zone ecological resource areas, Public Educational Institution uses shall be limited to nature centers and interpretive facilities.**

**All Home-Based businesses, please refer to Chapter 30.48.040L.**

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Electrical Transmission Substation	X	X	X	X	X	X	X	X	X	C	C	C	X	X	X
Emergency Residential Shelter	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Employment Agency	X	X	X	X	X	P	X	P	X	X	C	X	X	X	X
Enamel Products Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Engine Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Engraving, Machine Metal	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Equestrian Establishment Ord. 95-04	C	X	X	X	X	X	X	X	X	X	X	C	C*	X	X
Equipment Sales & Rentals	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X

P = Permitted by Right

\*Not permitted within coastal zone ecological resource areas.

C = Conditional Use permit Required (Major)

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X = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Family Day Care Home, Large (Seven to 12 children) (13+ children see Day Care Center . (Ord. 92-28)</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>P*</b>	<b>X</b>	<b>P*</b>	<b>P*</b>	<b>X</b>	<b>X</b>	<b>P*</b>	<b>X</b>
<b>Family Day Care Home, Small (Six or fewer children) Ord. 92-28</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>
<b>Feed and Grain Sales</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Fiber Products Manufacturing</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Finance Company</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Fire Prevention Equipment, Sales and Service</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

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**\*Accessory to a single-family home.**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
<b>Fire Station</b>	Cm	Cm	Cm	Cm	Cm	P	P	P	P	P	P	P	X	P	P
<b>Fish Hatchery Ord. 95-04</b>	X	X	X	X	X	X	X	X	X	P	X	Cm	Cm****	X	X
<b>Fleet Storage, Ord. 91-03</b>	X	X	X	X	X	X	X	C	X	C	X	C	X	X	X
<b>Floor Covering, Retail</b>	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
<b>Florist Shop</b>	X	X	X	X	X	P***	P	P	P	X	C	X	X	P	P**
<b>Food Products Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
<b>Frozen Food Locker</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Furniture Manufacturing and Repair</b>	X	X	X	X	X	X	X	Cm	X	P*	C	X	X	X	X
<b>Furniture Sales</b>	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X

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**\* On-Site sale permitted when product manufactured on-site.**

**\*\* In conjunction with a hotel or permitted use.**

**\*\*\* Ancillary Use.**

**\*\*\*\*Within coastal zone ecological resource areas. Fish Hatchery uses shall be limited to aquaculture uses as defined by this title.**

All Home-Based businesses, please refer to Chapter 30.48.040L.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Furniture Transfer and Storage	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Garage, Public Parking	X	X	X	X	X	C	X	C	C	P	C	C	X	X	X
Garden Supplies	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Garment Manufacturing	X	X	X	X	X	X	Cm	Cm	X	P	Cm	X	X	X	X
Gas Distribution, Meter and Control Station	X	X	X	X	X	X	Cm	Cm	Cm	Cm	Cm	X	X	X	X

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**Use** **Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Gas Engines, Retail Sales and Service</b>	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
<b>Gem/Precious Stone Retail</b>	X	X	X	X	X	X	P	P	P	X	X	X	X	X	Cm
<b>Gift Shop</b>	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P
<b>Glass and Mirrors, Retail</b>	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
<b>Glass Edging and Beveling</b>	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
<b>Glass Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
<b>Grocery Store</b>	X	X	X	X	X	X	P	P	C	X	X	X	X	X	X
<b>Glass Studio (Stained and others)</b>	X	X	X	X	X	X	P	P	P	P	X	X	X	X	X
<b>Golf Course &amp; Club House Ord. 95-04</b>	C	C	C	C	C	X	X	X	C	X	X	C	C*	X	C

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**\*Not permitted within coastal zone ecological resource areas.**

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**All Home-Based businesses, please refer to Chapter 30.48.040L.**

**Use Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Golf Driving Range (not part of golf course). Ord. 95-04	X	X	X	X	X	X	X	X	C	X	X	C	C***	X	X
Group Residential (Ord. 2005-03)	X	X	C	C	X	X	X	X	X	X	X	X	X	X	X
Gymnasium, Public Health Club	X	X	X	X	X	Cm	X	P	C	X	P	X	X	X	C
Hair Products Manufacturing	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Hair Salon (Ord. 91-03)	X	X	X	X	X	P*	P	P	P**	X	C	X	X	Cm	Cm
Hardware Store	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Hat Cleaning and Blocking	X	X	X	X	X	X	X	P	X	P	Cm	X	X	X	X
Hat Shop	X	X	X	X	X	X	P	P	P	X	X	X	X	X	Cm

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All Home-Based businesses, please refer to Chapter 30.48.040L.

\*Ancillary Use

\*\*NOTE: Permitted when in conjunction with a hotel or office/professional complex.

\*\*\*Not permitted within coastal zone ecological resource areas.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Hazardous Household Materials Collection Center	X	X	X	X	X	X	X	X	X	***Cm	X	***Cm	X	X	X
Hazardous Waste Facility	X	X	X	X	X	X	X	X	X	***Cm	X	X	X	X	X
Hazardous Waste Facility Specified	X	X	X	X	X	X	X	X	X	***Cm	X	X	X	X	X
Health Food Store	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P**
Heating Equipment Manufacturing	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Hiring Hall	X	X	X	X	X	X	X	X	X	Cm	X	Cm	X	X	X
Hobby Supply Shop	X	X	X	X	X	X	P	P	X	X	X	X	X	P	X
Home & Business Maintenance Service	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Home Improvement Center	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Home Occupations	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X
Horses, Raising (See also Stable Commercial & Stable Private) Ord. 95-20	P*	X	X	X	X	X	X	X	X	X	X	C	X	X	X
Horticultural Services	Cm	Cm	Cm	Cm	Cm	X	Cm	Cm	X	Cm	X	X	X	X	X

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C = Conditional Use permit Required (Major)

Cm = Conditional Use Permit Required (Minor)

X = Prohibited

All Home-Based businesses, please refer to Chapter 30.48.040L.

\*See Animal Regulations (Chapter 30.55).

\*\*In conjunction with permitted use.

\*\*\*See Hazardous Waste Facility Regs. (Chapter 30.57) Ord. 92-23.

**Use**

**Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
<b>Hospital</b>	X	X	X	X	X	C	X	X	X	X	X	C	X	X	X
<b>Hospital, Convalescent</b>	X	X	C	C	X	C	X	X	X	X	X	C	X	X	X
<b>Hospital, Nursing</b>	X	X	X	X	X	C	X	X	X	X	X	C	X	X	X
<b>Hospital, Mental</b>	X	X	X	X	X	C	X	X	X	X	X	C	X	X	X
<b>Hotel</b>	X	X	X	X	X	X	X	C	P	X	X	X	X	X	P
<b>Ice and Cold Storage Plant</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Ice Cream Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Ice Cream Parlor</b>	X	X	X	X	X	P*	P	P	P	Cm	Cm	X	X	P	P
<b>Ice Sales, Storage and Retail</b>	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X

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All Home-Based businesses, please refer to Chapter 30.48.040L.

**\*Ancillary Use**

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
<b>Ink Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Interior Decorating Service</b>	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X
<b>Janitorial Supplies/Sales</b>	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
<b>Janitorial Services</b>	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
<b>Jewelry Manufacturing</b>	X	X	X	X	X	X	X	Cm	X	P	Cm	X	X	X	X
<b>Jewelry Sales</b>	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P**
<b>Kennel</b>	X	X	X	X	X	X	X	C	X	*C	X	X	X	X	X
<b>Laboratories (medical, dental)</b>	X	X	X	X	X	P	X	X	X	P	Cm	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

\* See Animal Regulations (Chapter 30.55)

\*\* In conjunction with a hotel.

**Use**

**Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Laboratories (biochemical, film, other)</b>	X	X	X	X	X	X	X	Cm	X	P	C	X	X	X	X
<b>Labor (Hiring Hall)</b>	X	X	X	X	X	X	X	X	X	Cm	X	X	X	X	X
<b>Land Reclamation Project, Ord. 95-04</b>	C	C	C	C	C	C	C	C	C	C	C	C	C*	C	C
<b>Lapidary Shop, Retail (Gems)</b>	X	X	X	X	X	X	P	P	P	Cm	X	X	X	X	X
<b>Laundry</b>	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
<b>Laundromat</b>	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
<b>Lawnmower Sales/Sales and Service</b>	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
<b>Library</b>	C	C	C	C	X	P	P	P	X	X	C	P	X	P	X

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be**

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**Cm = Conditional Use Permit Required (Minor)**

**X = Prohibited**

**All Home-Based businesses, please refer to Chapter 30.48.040L.**

**\*Within coastal zone ecological resource areas. Land reclamation Project uses shall be limited to restoration projects.**

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Lithographic Service	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Locksmith	X	X	X	X	X	X	P	P	P	P	Cm	X	X	X	X
Lumber Yard	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Machinery Storage	X	X	X	X	X	X	X	X	X	Cm	X	X	X	X	X
Machine and Tool Sales	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
Machine Shop	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Mail Order House	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X
Manufacturing/Assembly	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Market (food)	X	X	X	X	X	X	P	P	Cm	X	X	X	X	Cm	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Market (wholesale)	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Massage Parlor (City Clerk Permit required)	X	X	X	X	X	C	X	C	X	X	C	X	X	X	X
Mattress Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Medical Complex	X	X	X	X	X	C	X	C	X	X	X	C**	X	X	X
Medical Equipment Sales	X	X	X	X	X	C	X	P	X	X	Cm	X	X	X	X
Medical/Dental Office	X	X	X	X	X	P	P	P	X	X	Cm	P	X	Cm	X
Medical/Dental Clinic	X	X	X	X	X	P	P	P	X	X	Cm	X	X	X	X
Microwave Antenna/Tower	X	X	X	X	X	P*	X	P*	X	P*	P*	X	X	X	X

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**X = Prohibited**

**\*Subject to the Accessory Use Regulations (30.48)  
and Design Review Regulations (23.08)**

**\*\*Medical complex may be approved up to a 1.0 FAR  
and maximum of 3 stories as established and approved  
by a Major Use Permit.**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use**

**Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Mobile Home Park	X	X	C	C	P	X	X	X	X	X	X	X	X	X	X
Mobile Home (including dwelling unit)	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X
Mobile Home Sales	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X
Mortuary and Funeral Parlor	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Motel	X	X	X	X	X	X	X	C	P	X	X	X	X	X	P
Motion Picture Studio	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X
Motorcycle Sales & Service	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X
Motor Vehicle Parts Store	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Motorcycle Sales Only	X	X	X	X	X	X	X	P*	X	P*	Cm	X	X	X	X

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All Home-Based businesses, please refer to Chapter 30.48.040L.

**\*Incidental Repairs permitted per State Certification regulations.**

Use

Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Motor Manufacturing (Electrical)	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Muffler Shop	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Music/Record Store	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Museum Ord. 2001-08	X;RR 1:C ****	X;R- 3:C ****	X	X	X	Cm	P	P	P	X	Cm	P	Cm***	X	Cm
Newsstand	X	X	X	X	X	P**	P	P	P	P	P	X	X	P	P*
Newspaper Distribution	X	X	X	X	X	X	X	C	X	P	P	X	X	X	X
Newspaper Printer	X	X	X	X	X	X	X	Cm	X	P	P	X	X	X	X
Notions and Dry Goods Store	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Novelties Manufacturing	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X

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X = Prohibited

\*In conjunction with permitted use.

\*\*Ancillary Use.

\*\*\*Not permitted within coastal zone ecological resource areas.

\*\*\*\*Museums allowed in RR-1 and R-3 only in Southern El Camino Real Museum Special Purpose Overlay Zone with a major use permit subject to limitations. See Municipal Code Sections 30.08.010F and 30.34.090.

All Home-Based businesses, please refer to Chapter 30.48.040L.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Nurseries, Horticultural	Cm	Cm	Cm	Cm	Cm	Cm	Cm	Cm	X	X	X	X	X	Cm	X
Observatory	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X
Office (Business and Professional)	X	X	X	X	X	P	P	P	X	Cm	P	X	X	Cm	X
Office Equipment/Supplies Sales	X	X	X	X	X	X	X	P	X	P	Cm	X	X	X	X
Open Air Theater	X	X	X	X	X	X	X	X	C	X	X	C	X	X	X
Optical Products Manufacturing	X	X	X	X	X	X	X	Cm	X	P	C	X	X	X	X
Optical Products Sales	X	X	X	X	X	P	P	P	X	P	Cm	X	X	X	X
Orthopedic Devices Manufacturing	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X

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All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use**

**Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Orthopedic Devices Sales	X	X	X	X	X	P	P	P	X	P	Cm	X	X	X	X
Outdoor Sales - Ord. 91-03	X	X	X	X	X	X	C	C	C	C	X	Cm	X	X	Cm
Packaging Business	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Paper Products Manufacturing	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Paper Product Sales	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Parcel Delivery Service Office Only	X	X	X	X	X	P	Cm	P	X	P	P	X	X	X	X
Parking Lot, Commercial	X	X	X	X	X	C*	X*	C	C	C*	C*	X	X	X	C
Parks and Recreational Areas Ord. 95-04	C	C	C	C	C	P	P	P	P	P	P	P	Cm**	C	Cm
Pawnshop	X	X	X	X	X	X	X	Cm	X	X	X	X	X	X	X

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**X = Prohibited**

(\*Amended Ord. 90-12)

\*\*Within coastal zone ecological resource areas, Parks and Recreational Area uses shall be limited to public uses.

All Home-Based businesses, please refer to Chapter 30.48.040L.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Perfume Manufacturing	X	X	X	X	X	X	X	Cm	X	P	C	X	X	X	X
Pest Control Service	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Pet Shop/Pet Grooming	X	X	X	X	X	X	P	P	X	P	P	X	X	Cm	X
Pharmacy	X	X	X	X	X	Cm	P	P	X	X	Cm	X	X	X	X
Photocopy Shop	X	X	X	X	X	P*	P	P	X	P	P	X	X	X	X
Photoengraving & Finishing	X	X	X	X	X	X	X	P	X	P	Cm	X	X	X	X
Photofinishing, Retail	X	X	X	X	X	X	P	P	Cm	P	Cm	X	X	X	X
Photographic Supplies	X	X	X	X	X	X	P	P	C	P	X	X	X	X	X
Photographic Studio	X	X	X	X	X	P	P	P	X	Cm	Cm	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**\*Ancillary Use**

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Plastics Fabrication	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Plumbing Shop	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Plumbing Supply Yard	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Police/Sheriff Station/Jail	X	X	X	X	X	C	X	C	X	P	C	P	X	X	X
Post Office	X	X	X	X	X	P	P	P	X	P	P	P	X	X	X
Postal Annex, Private Ownership	X	X	X	X	X	P	P	P	X	X	X	X	X	X	X
Pottery Manufacturing	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X
Pottery Sales	X	X	X	X	X	X	P	P	P	P	X	X	X	X	X
Prefabricated Building Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Printing	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Public Utilities: Office	X	X	X	X	X	P	X	P	X	P	P	P	X	X	X
Public Utility Service Yards (Ord. 2006-06)	X	X	X	X	X	X	X	C	X	C	X	C	X	X	X
Radio/Television Broadcasting Studio	X	X	X	X	X	C	X	C	X	P	P	X	X	X	X
Radio/Television Sales	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Radio/Television Transmitter	X	X	X	X	X	C	X	C	X	C	C	X	X	X	X
Real Estate Office	X	X	X	X	X	P	X	P	P	X	P	X	X	X	X
Recording Studio	X	X	X	X	X	Cm	X	Cm	X	P	P	X	X	X	X

**P = Permitted by Right**

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Recreational Facilities Private	C	C	C	C	C	C	C	C	C	C	C	X	X	C**	C**
Recreational Facilities Public	C	C	C	C	C	C	C	C	P	C	C	P	C	X	C
Recreational Storage	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Recreational Vehicle Sales	X	X	X	X	X	X	X	Cm	X	C	X	X	X	X	X
Recycling Facilities*	X	X	X	X	X	X	X	C	X	C	C*	C	X	X	X
Reducing Salon	X	X	X	X	X	P	P	P	X	X	Cm	X	X	X	X
Rental Recreational Surf Shop	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X
Residential Care, limited – 6 or fewer (Ord. 2005-03).	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X
Residential Care, General – 7 or more (Ord. 2005-03).***	C#	C#	C	C	X	X	X	X	X	X	X	C	X	X	X

\*\*\*Nonconforming Residential Care Facilities for 7 or more legally established as of March 9, 2005, may be expanded or intensified through issuance of a Conditional Use Permit (Major) pursuant to EMC Section 30.16.010(B)12.

#Residential Care Facilities, General for 7 or more are permitted through issuance of a Conditional Use Permit (Major) only if the property is located on a prime arterial circulation element road as shown on the general plan.

**P = Permitted by Right**

**C = Conditional Use permit Required (Major)**

**Cm = Conditional Use Permit Required (Minor)**

**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

\* See Recycling Facilities (Chapter 30.56)

\*\*In conjunction with a permitted use.

**Use**

**Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Restaurant - No Alcohol Sales. (Ord. 97-17)	X	X	X	X	X	P*	P	P	P	P	P*	X	X	X	P
Restaurant - With Alcohol Sales. (Ord. 97-17)	X	X	X	X	X	Cm*	Cm	Cm	Cm	Cm	Cm*	X	X	X	Cm
Retail Sales	X	X	X	X	X	X	P	P	P	Cm	Cm	X	X	P*	P*
Rubber Products Fabrication	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Rug Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Sash & Door Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Scales, Public	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Schools Private: (Elem., Jr. High, H.S.)	C	C	C	C	X	C	C	C	X	C	C	C	X	C	X
Public: Ord. 95-04	P	P	P	P	P	P	P	P	P	P	P	P	Cm**	P	P

**P = Permitted by Right**

**\*Permitted as an accessory use up to 10% of leaseable square footage of the center, not to exceed 1500 square feet, unless approved by a Minor Use permit. (Ord. 97-17)**

**C = Conditional Use permit Required (Major)**

**\*\*Not permitted within coastal zone ecological resource areas.**

**Cm = Conditional Use Permit Required (Minor)**

**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use**

**Zoning Uses**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Schools, Technical	X	X	X	X	X	C	X	C	X	C	C	C	X	X	X
Scientific Instruments Manufacturing	X	X	X	X	X	Cm	X	X	X	P	P	X	X	X	X
Scientific Instruments Sales	X	X	X	X	X	C	X	P	X	P	Cm	X	X	X	X
Second Hand Dealer (Ord. 91-03) (City clerk permit possible)	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Second Hand Store (City Clerk permit possible)	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Service Station including Auto Repair and Car Wash	X	X	X	X	X	X	C	C	C	C	C	X	X	X	X*
Sewage Treatment Plant	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X
Shoe Repair/Sales	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

\*Existing service station may expand with a major use permit.

## Use

## Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Shoe Manufacturing	X	X	X	X	X	X	X	Cm	X	P	Cm	X	X	X	X
Silk Screen Printing Shop	X	X	X	X	X	X	P	P	X	P	Cm	X	X	X	X
Sign Shop	X	X	X	X	X	X	X	P	X	P	Cm	X	X	X	X
Small Animal Hospital/Kennel	X	X	X	X	X	X	X	P	X	*C	*C	X	X	X	X
Soap Manufacturing (Cold Mix Only)	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Soft Drink Manufacturing & Bottling	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Sporting Goods Sales	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Stable, Commercial	C	X	X	X	X	X	X	X	X	X	X	C	C**	X	X
Stable, Private	P*	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Stadium	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X

**P = Permitted by Right**

**C = Conditional Use permit Required (Major)**

**Cm = Conditional Use Permit Required (Minor)**

**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**\*See Animal Regulations (Chapter 30.55).**

**\*\*Not permitted within coastal zone ecological resource areas.**

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Stationery Store	X	X	X	X	X	P***	P	P	P	P	P	X	X	P	X
Stationery Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Steel Fabrication Plan	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X
Stove Monuments and Tombstone Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Stone (Precious) Mfg.	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Storage Building (self-storage, boat, RV & truck rentals). Ord. 92-29	C*	C*	C*	C*	X	X	X	C	X	Cm	X	X	X	X	X
Storage of non-operative vehicles. (Ord. 91-03) (City Clerk permit possible)	X	X	X	X	X	X	X	C**	X	C**	X	X	X	X	X
Storage and Preparation of Vehicles (associated with new car dealerships)(Ord. 2000-15)	X	X	X	X	X	X	X	X	X	X	X	C****	X	X	X
Storage of Sand, Gravel, etc.	X	X	X	X	X	X	X	X	X	C	X	C	X	X	X
Surf Shop: A. Retail	X	X	X	X	X	X	P	P	P	P	X	Cm	X	X	Cm
B: With Manufacturing	X	X	X	X	X	X	X	P	P	P	X	Cm	X	X	Cm
C: Rental	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X

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\*\*\*Ancillary Use

\*\*\*\* Not permitted within coastal zone areas.

\*When located on a prime arterial. Outdoor storage of boats and RVs and limited truck rentals are considered an accessory use to the principal use of self-storage and shall be permitted by minor use permit.

\*\*NOTE: The following issues will need to be addressed in addition to other site specific issues that may arise through the process: Lighting, hours of operation, noise, visibility of operation, screening, size of property and use, maximum time period to store a vehicle, and site improvements.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Swap Meet (Ord. 91-03)	X	X	X	X	X	X	C	C	C	C	X	Cm	X	X	Cm
Swimming Pool Supplies/Equipment Sales	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Tailor Shop	X	X	X	X	X	X	P	P	X	P	P	X	X	X	X
Tattoo Parlor	X	X	X	X	X	X	X	Cm	X	X	X	X	X	X	X
Telephone Answering Service	X	X	X	X	X	P	P	P	X	P	P	X	X	X	X
Terminals and Stations (Taxi, Bus, Limousine, etc.). (City Clerk permit possible)	X	X	X	X	X	X	X	C	C	C	C	C	X	X	X
Textiles Manufacturing Processing	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X

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Use

Zoning Uses

	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Theaters and Places of Public Assembly/Ord. 95-04	X	X	X	X	X	X	X	P	C	X	X	P	C**	X	C*
Tile Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Tile Sales	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Tile Rebuilding/Retreading	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Time-Share Project (Ord. 97-17)	X	X	X	X	X	X	X	C	C	X	X	X	X	X	C
Toiletries Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Tools Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Towing/Impounding of Vehicles	X	X	X	X	X	X	X	X	X	C	X	C	X	X	X
Toys Manufacturing	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X

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\*In conjunction with permitted use.

\*\*Not permitted within coastal zone ecological resource areas.

Use	Zoning Uses														
	RR RR-1 RR-2	RS-11 R-3 R-5 R-8	R-11 R-15	R-20 R-25	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L-LC	L-VSC
Transfer, Moving and Storage	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Transient Habitation (Ord. 91-03)	X	X	X	X	X	X	C	C	C	X	X	C	X	X	C
Truck Rental	X	X	X	X	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Truck Repair	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Truck Sales	X	X	X	X	X	X	X	Cm	X	C	X	X	X	X	X
Upholstery Installation	X	X	X	X	X	X	X	Cm	X	P	X	X	X	X	X
Utility Lines-Sewer, Gas, Petroleum, Telephone, Elec.	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P
Vending Machine Sales and Service	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X

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**X = Prohibited**

All Home-Based businesses, please refer to Chapter 30.48.040L.

**Use** **Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Veterinarian</b>	X	X	X	X	X	Cm	P	P	X	P	P	X	X	X	X
<b>Vitamin Manufacturing</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Warehouse</b>	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
<b>Water Reservoir - Ord. 95-04</b>	C	C	C	C	C	C	C	C	C	C	C	C	C**	C	C
<b>Wearing Apparel Shop</b>	X	X	X	X	X	X	P	P	*P	X	X	X	X	Cm	Cm
<b>Welding Shop</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Wholesale Business</b>	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
<b>Wine Storage and Mfg.</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
<b>Wire Fabrication</b>	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X

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**All Home-Based businesses, please refer to Chapter 30.48.040L.**

**\*Permitted in conjunction with a hotel or visitor service complex.**

**\*\*Not permitted within coastal zone ecological resource areas.**

**Use** **Zoning Uses**

	<b>RR RR-1 RR-2</b>	<b>RS-11 R-3 R-5 R-8</b>	<b>R-11 R-15</b>	<b>R-20 R-25</b>	<b>MHP</b>	<b>OP</b>	<b>LC</b>	<b>GC</b>	<b>VSC</b>	<b>LI</b>	<b>BP</b>	<b>P/SP</b>	<b>ER/OS</b>	<b>L-LC</b>	<b>L-VSC</b>
<b>Wood Prod. Sales Retail</b>	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
<b>Wood Products Mfg.</b>	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
<b>Yard Products Mfg.</b>	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X

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 All Home-Based businesses, please refer to Chapter 30.48.040L.

**Pacific View Activation Plan – Item 10B**

Proposed Interim Uses Next Steps, submitted by Dep. Mayor Kranz and Councilmember Shaffer

1. Staff – hiring experts as needed, finalize site assessment and develop specifications – what space is available in what condition – include structures and open space, possibilities for portable structures.

2. Establish City Council subcommittee with representatives from Arts, Parks & Rec, Environment, Youth, and Senior Commissions and the Economic Development team. If possible, solicit participation from a real estate broker experienced in this type of transaction (volunteer or hire someone).

- Work with staff to develop solicitation. Analysis should include
  - Specifications defining what is available for lease
  - Zoning restrictions
  - Comparable rents for comparable uses
  - Prospective users in Encinitas who have already expressed interest

3. After Council review of solicitation, distribute as broadly as possible, with 90-day response time. Use eTownHall and other City communications outlets.

4. Subcommittee review of proposals and recommendations to Council.

Solicitation should include explicit evaluation criteria, such as

- Financial viability of enterprise
- Revenue stream for City
- Public benefit – will proposed use meet an identified need; will the benefits be enjoyed by Encinitas residents
- Diversity – will multiple interests be served by the combination of proposed uses rather than the whole facility being used for one group

5. Develop plan for Pacific View long-term visioning process

**Robert Bonde**

1620 Haydn Drive Cardiff-by-the-Sea, CA 92007 760-753-7477 Rbonde007@gmail.com

October 8, 2014

Mayor Gaspar and Councilpersons  
City of Encinitas  
Encinitas, California 92024

Dear Mayor Gaspar and Councilpersons:

At the Pacific View Council Sub-committee meeting on the October 6, 2014, it was pointed out the City Council wanted to proceed as quickly as possible to get the facility cleaned-up and operational. The feeling expressed by the Committee was that an interim use could best accomplish this endeavor considering the time and process needed to commit to any long term program or expenditure. I therefore am submitting the following outline proposal for your consideration and hopefully action:

**Proposal**

Interim Use of Pacific View School Site

**Encinitas Living Arts Museum and Theater**

- I. It is proposed that the City of Encinitas lease the Pacific View School site to a board made up of citizens of the City of Encinitas to operate and manage a living arts museum and theater for a period of not less than 10 years.
- II. The City of Encinitas Arts Director shall be responsible for locating potential Board members and recommending them to the City Council.
- III. The Encinitas Arts Board (Board) shall, if possible, be made up of:
  - A. Accountant
  - B. Educator
  - C. City Arts Director
  - D. DEMA representative
  - E. Performing Arts representative
  - F. Visual Arts representative
  - G. Citizen-at-large representative
  - H. Building contractor
  - I. Architect
- IV. The City Council to appoint the first Board members for 1 and 2 year terms to begin the process.

- V. Subsequent Boards and conditions to be established by the Board in a move toward independence from the City.
- VI. The City will lease the facility, including all existing buildings, to the Board for \$1 per year.
- VII. The City shall provide the Board the money necessary to make the existing permanent school building safe and habitable as determined by either building contractors or city employees (probably less than \$100,000).
- VIII. The Board shall see to it that the facilities, including the grounds are cleaned up and presentable within 30 days from the signing of the operational lease.
- IX. The Board shall begin operation of the facility as quickly as possible.
- X. The Board shall comply with all current General Plan zoning codes and restrictions on uses, throughout the contract and thereby eliminate the immediate need to hold an election to rezone the property.
- XI. The Board shall develop a set of goal and objectives for the program and use of the site and present them to the Encinitas City Council for concurrence.
  - A. Economic autonomy within 2 years is the highest priority.
  - B. Public service
- XII. The Board shall develop an operational plan for the use of the facility that meets the approved goal and objectives and supports the arts and promotes education and cultural tourism.
- XIII. The Board shall develop an equitable procedure for the selection of program participants and building occupants (Participants).
- XIV. The Board shall set the facility rental rates and conditions.
  - A. Board may wish to allow renters to apply space modification credit towards the first year rent to reduce organization out-of-pocket costs.
  - B. Board may wish to reduce rental costs to those artists willing to teach students and present specialty demonstrations to visitors and the public free of charge.
  - C. Board should give local artists preference on space rental since the City is providing the facility.
- XV. The Participants shall be provided a set of rules and regulations and held to those standards.
- XVI. The Board shall prepare a fiscal report and submit it to the City Council annually.
- XVII. The Board shall assist the City in the preparation of a long term program for the facility.
- XVIII. The Board shall develop a fund raising program.
- XIX. The Board shall not obligate the City to any debt without the written permission of the Encinitas City Council.

## **2014 Approved General Plan Uses and Dictionary Definitions**

- 1. Museum
  - a. Gallery
  - b. Academy
  - c. Institution

- d. Exhibition hall
- e. Arts Center
- 2. Public Education
  - a. Community
  - b. Civic
  - c. Municipal
  - d. Free
  - e. Open
  - f. Unrestricted
- 2. Theater
  - a. Playhouse
  - b. Auditorium
  - c. Cinema
  - d. Hall

There is community support for an arts facility at Pacific View as was apparent on the 6<sup>th</sup>. It therefore seems appropriate to utilize arts as the interim use of the space.

Because the amount of time, the lack of visible action and bad press, public support for the project is waning. I feel it would be the community's and Council's best interest if implementation of the above proposal could begin before the November Election.

Sincerely,

Bob Bonde

## Robert Bonde

1620 Haydn Drive Cardiff-by-the-Sea, CA 92007 760-753-7477 Rbonde007@gmail.com

October 13, 2014

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City of Encinitas  
Encinitas, California 92024

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Sincerely,

Bob Bonde

**From:** Teresa Barth  
**Sent:** Wednesday, October 08, 2014 3:50 PM  
**To:** Kathy Hollywood  
**Cc:** Lisa Shaffer  
**Subject:** FW: Subcommittee meeting on interim use of Pacific View

Another attachment for the PV subcommittee report

Maybe Attachment 6 should be: Public correspondence received

Teresa

~~~~~  
**Teresa Arballo Barth**  
**City Council Member**  
**City of Encinitas**  
**760-633-2620**

**Five Unique Communities - One Great City**

*Correspondents should be aware that all communications to or from this address are subject to public disclosure and may be reviewed by third parties.*

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**From:** Al Rodbell [<mailto:alvrdb-brt@yahoo.com>]  
**Sent:** Wednesday, October 08, 2014 3:43 PM  
**To:** Editor; Logan Jenkins; Council Members; Julie Graboi; Encinitas Undercover; Catherine Blakespear; Don/Sheila Cameron; SavePacificView.org  
**Subject:** Subcommittee meeting on interim use of Pacific View

*This article is on this meeting, that I recorded. Media sources please contact me for further information or use as desired.*

On Monday, October 8, there was a public sub- committee meeting of the Encinitas City Council to discuss the [Pacific View activation plan.](#)

There are two elements of this meeting I want to address. The first is the content of the descriptive material at the meeting that illustrates an even more harmful decision by this city council, decided by the very same majority that by one vote is purchasing Pacific View. It is the adoption of software and advisory service from the Peak Democracy corporation, that I see as becoming a virtual propaganda department for any future majority of the city council. This [powerpoint presentation](#) is the perfect example of what we can expect once we are entangled with this company.

Slide 2/13 depicts the outcome if the city does not prevent the auction by the school district with an illustration of a crowded housing development without a bit of open space or any kind of amenity that would meet any minimum standards. (it was an illustration, since no such depressing housing exists anywhere) It is contrasted with a scene of families enjoying a carefree outing complete with children with red balloons if the city buys the land. Not shown is the the reality, that a private development could be required to include public amenities that actually would correspond more with the happy picture than the sad one.

Slide 7/13 is titled, "**Zoning, a place for everything**" It then lists a dozen activities such Art Gallery and Pottery Manufacture. But in smaller type are the words, "Uses especially prohibited in this zone." Either this was incompetence for the contradictory statements in the

headings or else the hope was that those who scan it will read the headline and think all of these uses were allowed.

This is a preview of the slick Peak Democracy program approach which will be even more insidious. Details are available in [this article](#).

During the meeting three distinct limits on this plot of land were described, none of which would exist if we built an art center on city-owned property in Encinitas Ranch Town Center, which is dedicated to this use. Jim Gillian, our Director of Arts for the City (who supports the PV purchase) created a preliminary plan for that site over a decade ago that included a medium size auditorium and ancillary space for diverse activities, none of which would have the impediments that follow for PV:

1: Limits based on the current zoning of public use. These including any paid performance space or commercial educational facility among many more (details on this and other references linked above) Yes, it could be rezoned, but this would take a referendum that couldn't be held for at least a few years, that very well may not pass based on current public sentiment against this project.

2: Limits based on IRS requirements for the lower rate for non taxable bonds. This can be viewed on the detailed report by our legal bond adviser that imposes another layer of limitation of uses. While at this moment the financial market is at an historic low for bond rates and the additional cost for those that are taxable, we have not included any funding for creating any meaningful structures on this site, which would require a new bond issue in a different economic environment. So, these IRS limits must be taken into account even though the decision was to issue taxable bonds.

3-Limits based on California Coastal Commission. Their general mandate includes prohibition of any usage that would decrease parking for facilities such as Moonlight Beach. On summer weekends the lot there is full until dusk, so any major demand for parking for the PV site would face this challenge. I had suggested that the city do a preliminary analysis of the limits this would impose, yet this has not been done. Of course for those in walking distance this would not be an issue, which would further antagonize those who can only get there by car.

In the audience was [Joe McNally](#), who is the founder and director of the most frequent performance group in this city, [The Hutchins Consort](#). Joe is a composer, producer, and the leader of a unique group of musicians that performs frequently at the Encinitas library space. If he has any vested interest it is to expand facilities that his group would benefit from. His public comment (transcript below) included the words: "I'm feeling like the performing arts are essentially obviated by the geniuses who came up with our original planning codes."

Not only is the city ignoring the reality as stated by our legal advisers, that the city is still in the due diligence phase "deciding on the purchase." but based on a single vote it is forging ahead to close escrow quickly, almost like going for the final touchdown by making sure that the opposing team doesn't slow down this march to victory.

There will be no serious discussion of modification of the sales contract, even if it is to clarify clauses that would not even substantively lower the payment to the selling school district. Rather than a logical chain of decisions, the first being exactly what the city wants to create, and then looking at the expense and possible locations, we have been goaded into an emotional rescue of a "sacred land" and are now still refusing to seriously evaluate whether it

wild even meet its purpose, which is some form of center for the arts.

The concerns of the one expert, Mr. McNally, who has worked in hundreds of performance venues was simply dismissed, as I'm certain this article will be. Vince Lombardi's famous words that "Winning is the only thing" may be true for football, but when this is the mentality for a city government, we have a serious problem.

-----

Transcript of comment at 1hr 50min

I'm Joe McNally. I'm with the Hutchins Consort. ---- awards in San Diego. I just want to reiterate something I mentioned to Jim a couple times which is we've talked to a lot of other performing artists about putting on some sort of outdoor event to gather interest and to get the community behind turning this into a performance art facility. Of course we donate our services.

As I'm looking at the public, semi-public thing (zoning) I'm feeling like the performing arts are essentially obviated by the geniuses who came up with our original planning codes. I've worked with a lot of major museums around the country and those museums could not be built on the site because they do music education and pottery, art galleries -- all obviated by what's on there (list of activities that are prohibited) So I'm extremely worried about.... But I'd love to see an art center go up. But as I look at it I'm extremely worried about... (interrupted: indecipherable because other person speaks over him and says, we can change the zoning). Joe: That will be a major deal. We have to be super careful about how things are worded so we do not go into things that are not public usage. We have to keep it in things that are public usage.

## Stephanie Kaufmann

---

**From:** Kathy Hollywood  
**Sent:** Tuesday, October 14, 2014 2:51 PM  
**To:** Stephanie Kaufmann  
**Subject:** FW: Pacific View School

**Kathy Hollywood, CMC**  
**City Clerk, City of Encinitas**  
**760-633-2603**

*Correspondents should be aware that all communications to and from this address are subject to public disclosure and may be reviewed by third parties.*

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**From:** Brandi Lewis  
**Sent:** Tuesday, October 14, 2014 1:50 PM  
**To:** Kathy Hollywood  
**Subject:** FW: Pacific View School

Hi Kathy, for inclusion with the Pacific View Subcommittee Report. Thank you.

**Brandi L. Lewis**  
City Council's Office | City of Encinitas | 505 S. Vulcan Avenue | Encinitas, CA 92024  
P. 760.633.2618 | F. 760.633.2627 | [blewis@encinitasca.gov](mailto:blewis@encinitasca.gov)

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**From:** Hil Mercado [<mailto:HMercado@voitco.com>]  
**Sent:** Tuesday, October 14, 2014 12:39 PM  
**To:** Council Members  
**Subject:** Pacific View School

Encinitas City Council:

On Wednesday October 22, 2014 the council will consider bonding all or a portion of the 10 million cost to acquire the Pacific View property.

My name is Hilbert Mercado and I live at 147 4<sup>th</sup> Street which makes me a tax payer. My position is the bonds should be taxable as the interest rate is approximately ¼ % above the non-taxable interest rate and the advantage of having Tenants that pay rent can help offset bond cost.

**Hil Mercado** | Vice President  
**Voit Real Estate Services**  
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