

Eureka, California Code of Ordinances

§ 155.078 PERMITTED AND CONDITIONAL USES.

(A) The following uses shall be permitted uses or conditional uses in a C District provided the symbol P, for permitted uses, or C, for conditional uses appears in the column below each C District:

<i>USES</i>	<i>CN</i>	<i>CP</i>	<i>CC</i>	<i>CS</i>
Accessory uses and structures located on the same site as a permitted use		P	P	P
Accessory uses and structures, not including warehouses, located on the same site as a permitted use	P			
Accessory uses and structures located on the same site as a conditional use	C	C	C	C
Addressograph services			P	P
Arts and crafts schools and colleges	P		P	P
Administrative, business, and professional offices, except medical and dental offices	P	P	P	P
<i>USES</i>	<i>CN</i>	<i>CP</i>	<i>CC</i>	<i>CS</i>
Ambulance services	C			P
Amusement parks				C
Arts and artists' supply stores	P	P	P	P
Art galleries and stores selling objects of art	P	P	P	P
Auction rooms		P	P	P
Auction establishments, including outdoor displays				P
Automobile and motorcycle racing stadiums and drag strips				C
Automobile rental agencies			P	P
Automobile repairing, overhauling, rebuilding, and painting				P
Automobile (new car) sales and services, including used car sales incidental to new car sales			P	P
Automobile tire sales (see "Tire sales and service")				
Automobile (used car) sales				P
Automobile supply stores		P	P	P
Automobile upholstery and top shops				P
Automobile washing, including the use of mechanical conveyors, blowers, and steam cleaners				P

Bakeries				P
Bakeries, including baking for sale on the premises only	P	P	P	P
Bail bonds			P	P
Banks	P	P	P	P
Banquet rooms		P	P	P
Banquet rooms not less than 150 feet from an R District	P			
USES	CN	CP	CC	CS
Barber shops and beauty shops	P	P	P	P
Bars		P	P	P
Bars not less than 150 feet from an R District	P			
Beverage distributors				P
Bicycle shops	P	P	P	P
Blacksmith shops not less than 300 feet from an R or OR District				P
Blueprint and photostat shops	C	P	P	P
Boat sales, services, and repairs				P
Bookbinding				P
Book stores and rental libraries	P	P	P	P
Bottling works				P
Bowling alleys			P	P
Building materials' yards other than gravel, rock, or cement yards not less than 300 feet from an R or OR District				P
Bus depots, provided buses shall not be stored on the site and no repair work or servicing of vehicles shall be conducted on the site			P	P
Business, professional, and trade schools and colleges	C	P	P	P
Cabinet shops				P
Candy stores	P	P	P	P
Card rooms			P	P
Carpenter shops				P
Carpet and rug cleaning and dyeing				P
Catering establishments				P
USES	CN	CP	CC	CS
Charitable institutions	C	C	C	P

Christmas tree sales lots	P	P	P	P
Churches, synagogues, temples and other institutions of worship	C	C	C	C
Cigar stores	P	P	P	P
Circuses, carnivals, and other transient amusement enterprises		C		C
Cleaning and dyeing				P
Cleaning and dyeing, including the use of one synthetic dry cleaning machine using nonexplosive solvents and having a capacity of not more than 40 pounds per cycle only	P	P	P	P
Cleaning, coin-operated	P	P	P	P
Clinics (see "Medical and dental offices")				
Clothing and costume rental establishments	P	P	P	P
Clothing stores	P	P	P	P
Cold storage plants				P
Columbariums and crematories not less than 300 feet from an R or OR District				P
Contractors' equipment rental or storage yards not less than 300 feet from an R or OR District				P
Dairy products plants				P
USES	CN	CP	CC	CS
Dairy products manufacturing for retail sales on the premises only	P	P	P	P
Dance halls			P	P
Department stores		P	P	P
Diaper supply services				P
Drive-in theaters				C
Drive-through facility on property fronting 4th and 5th Streets only			C	
Drive-through facility, 150 feet or more from an R District	C	C		C
Drive-through facility, less than 150 feet from an R District				C
Drugstores	P	P	P	P
Dry goods stores	P	P	P	P
Electrical appliance sales and repair stores, provided repair services shall be incidental to retail sales	P	P	P	P
Electrical repair shops			P	P

Emergency shelters pursuant to the requirements and regulations contained in § 155.040 of this chapter				P
Employment agencies			P	P
Feed and fuel stores				P
Finance companies	P	P	P	P
Florists	P	P	P	P
Food lockers	P	P	P	P
Food stores and supermarkets	P	P	P	P
Freight forwarding terminals				P
Frozen food distributors				P
Furniture stores	P	P	P	P
Fur shops	P	P	P	P
Garden shops	P	P	P	P
Gift shops	P	P	P	P
Glass replacement and repair shops				P
<i>USES</i>	<i>CN</i>	<i>CP</i>	<i>CC</i>	<i>CS</i>
Golf driving ranges				P
Gunsmiths		P	P	P
Gymnasiums		P	P	P
Hardware stores	P	P	P	P
Health clubs, neighborhood	P			
Heating and ventilating shops				P
Hobby shops	P	P	P	P
Hospital equipment			P	P
Hotels and motels			P	P
Household appliance stores	P	P	P	P
Household repair shops			P	P
Ice storage houses				P
Ice vending stations	P	P	P	P
Interior decorating shops	P	P	P	P
Janitorial services and supplies			P	P
Jewelry stores	P	P	P	P
Kennels not less than 300 feet from an R or OR District				C

Laboratories			P	P
Laundry plants				P
Laundries, self-service type	P	P	P	P
Leather goods and luggage stores	P	P	P	P
Light industrial uses permitted in § 155.098(A)(1) (ML Limited Industrial District) provided all conditions prescribed in § 155.077(A) and (D) of this subchapter are met				C
Linen supply services				P
Liquor stores	P	P	P	P
USES	CN	CP	CC	CS
Live storage, killing, or dressing of poultry or rabbits for retail sale on premises not less than 300 feet from an R or OR District				P
Locksmiths	P	P	P	P
Lumber yards, not including planing mills or saw mills, not less than 300 feet from an R or OR District				P
Machinery sales and rentals				P
Massage and physical culture studios		P	P	P
Mattress repair shops				P
Marine sales, services, and repairs				P
Medical and dental offices	P	P	P	P
Medical and orthopedic appliance stores	P	P	P	P
Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158				C
Meeting halls		P	P	P
Meeting halls not less than 150 feet from an R District	P			
Mens' furnishing stores	P	P	P	P
Messengers' offices	P	P	P	P
Millinery shops	P	P	P	P
Mobile home parks in accordance with the regulations prescribed in Article 21 of this chapter (Manufactured Homes, Mobilehome Parks, and Recreational Vehicle Parks)				C
Motorcycle sales and services				P
Mortuaries			P	P
Motels and hotels			P	P

Music stores	P	P	P	P
Music and dance studios		P	P	P
USES	CN	CP	CC	CS
Music and dance studios not less than 150 feet from an R District	P			
Musical instrument repair shops	P	P	P	P
Newsstands	P	P	P	P
Nurseries and garden supply stores				P
Nurseries and garden supply stores, provided that all equipment supplies, and merchandise other than plants shall be kept within a completely enclosed building and that fertilizer of any type shall be stored and sold in package form only	P	P	P	P
Office and business machine stores	P	P	P	P
Offices and office buildings	P	P	P	P
Optician and optometrical shops	P	P	P	P
Packing and crating				P
Paint, glass, and wallpaper shops	P	P	P	P
Parcel delivery services, including garage facilities for trucks but excluding repair shop facilities			P	P
Parcel delivery services, including repair shop facilities				P
Parking facilities, fee parking facilities, or required off-street parking facilities as prescribed in § 155.119 of this chapter, located on a site having a side property line which adjoins an R, OR, or HM District, or is opposite and separated therefrom only by an alley, or on a site that has a rear property line adjoining an R, OR, or HM District	C	P	C	C
Parking facilities, fee parking facilities, or off-street parking facilities, whether located on the site or separate from the use which the facilities serve and improved in conformity with the standards prescribed for required off-street parking facilities in § 155.115 through 155.124 of this chapter	P	P	P	P
Pet and bird stores		P	P	P
Pet and bird stores not less than 150 feet from an R District	P			
Phonograph record stores	P	P	P	P
USES	CN	CP	CC	CS
Photographic supply stores and studios	P	P	P	P
Pickup truck camper and canopy assembly, sales, and service,				P

when conducted entirely within an enclosed building				
Picture framing shops	P	P	P	P
Piers, docks, and wharves				
Plumbing, heating, and ventilating equipment showrooms with storage for floor samples only			P	P
Plumbing shops				P
Pony riding rings		C		C
Pools halls			P	P
Post offices	P	P	P	P
Prefabricated structure sales				C
Prescription pharmacies and dental and optical laboratories	P	P	P	P
Pressing establishments	P	P	P	P
Printing shops			P	P
Printing, including lithographing and engraving			C	P
Private clubs and lodges			P	P
Private clubs and lodges not less than 150 feet from an R District	P			
Private museums			C	
Public utility and public service pumping stations, power stations, equipment buildings and installations, drainage ways and structures, storage tanks, and transmission lines				P
USES	CN	CP	CC	CS
Public utility and public service pumping station, power stations, equipment buildings and installations, drainage ways and structures, storage tanks, and transmission lines found by the Commission to be necessary for the public health, safety, or welfare	C	C	C	
Racetracks				C
Radio and television broadcasting studios; towers and other support structures, commercial satellite dishes, antennas and equipment buildings necessary for the specific facility are subject to the provisions of Chapter 159			P	P
Railroad stations (Passenger)				P
Realtors and real estate offices	P	P	P	P
Recreational vehicle parks in accordance with the regulations prescribed in Article 21 of this chapter (Manufactured Homes, Mobile homes, Commercial Coaches, Mobile home Parks and				C

Recreational Vehicle Parks)				
Refrigeration equipment				P
Rental hand tools, garden tools, power tools, trailers, and other similar equipment		P	P	P
Residential uses	See § 155.078(B)			
Restaurants and soda fountains	C	C	P	P
Restaurants and soda fountains, 150 feet or more from an R District	P	P	P	P
USES	CN	CP	CC	CS
Restaurants and soda fountains, including drive-in establishments, 150 feet or more from an R District Drive-through coffeehouses on property fronting 4th and 5th Streets only (as a subset of restaurants and soda fountains, 150 feet or more from an R District)	C	C	C	C
Restaurants and soda fountains, including drive-in establishments, less than 150 feet from an R District				C
Restaurants and soda fountains, with a drive-through facility, less than 150 feet from an R District				C
Restaurants and soda fountains, with a drive-through facility, 150 feet or more from an R District	C	C		C
Restaurants and soda fountains, without a drive-through facility, less than 150 feet from an R District	C	C	P	P
Restaurants and soda fountains, without a drive-through facility, 150 feet or more from an R District	P	P	P	P
Riding stables				C
Savings and loan offices	P	P	P	P
Safe and vault repairing				P
Scientific instrument shops	P	P	P	P
Secondhand stores and pawn shops			P	P
Self-service laundries and self-service dry-cleaning establishments	P	P	P	P
Septic tanks and cesspool installation and service				P
Service stations, including automobile, truck, and trailer rental as accessory uses only		C		P
Service stations, not including automobile, truck, and trailer rentals as accessory uses, provided all operations, except the sale of gasoline and oil and the washing of cars, shall be conducted within a building enclosed on at least three sides	C	C	C	C

Sheet metal shops				P
Shoe repair shops	P	P	P	P
Shoe stores	P	P	P	P
Shooting galleries within buildings				P
USES	CN	CP	CC	CS
Sign painting shops			P	P
Skating rinks				P
Skating rinks within buildings		P	P	P
Small animal boarding not less than 300 feet from an R or OR District				P
Sporting goods stores	P	P	P	P
Sports areas or stadiums				C
Sports arenas within buildings		P	P	P
Stamp and coin stores	P	P	P	P
Stationery stores	P	P	P	P
Stenographic services	P	P	P	P
Stone and monument yards not less than 300 feet from an R or OR District				P
Storage buildings for household goods			P	P
Storage yards for commercial vehicles				P
Storage yards for fuel or flammable liquids				C
Swimming pool sales and services				P
Tailor and dressmaking shops	P	P	P	P
Taxidermists				P
Taxicab stands	P	P	P	P
Telegraph offices; towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility are subject to the provisions of Chapter 159	P	P	P	P
Television and radio sales and repair stores	P	P	P	P
USES	CN	CP	CC	CS
Theaters and auditoriums within buildings		P	P	P
Ticket agencies	P	P	P	P
Tire sales and service, not including retreading and recapping,		P	P	P

or mounting of heavy truck tires				
Tire sales and service, including retreading and recapping				P
Tool and cutlery sharpening or grinding				P
Toy stores	P	P	P	P
Travel agencies and bureaus	P	P	P	P
Travelers' aid societies		P	P	P
Truck and trailer rentals, sales, and services				P
Truck scales				P
Trucking terminals not less than 150 feet from an R or OR District				P
Umbrella repair shops	P	P	P	P
Variety stores	P	P	P	P
Vending machine services				P
Veterinarians' offices and small animal hospitals, including short-term boarding of animals and incidental care, such as bathing and trimming, provided all operations are conducted entirely within a completely enclosed building which complies with the specifications of soundproof construction which shall be prescribed by the Building Inspector				P
Veterinarians' offices and small animal hospitals, including operations not conducted within a completely enclosed building, not less than 300 feet from an R or OR District				C
USES	CN	CP	CC	CS
Warehouses except for the storage of fuel or flammable liquids				P
Watch and clock repair shops	P	P	P	P
Welding shops not less than 300 feet from an R or OR District				P
Wholesale establishments				P
Wholesale establishments without stocks	P	P	P	
Wireless telecommunication facilities located within 100 feet of an R District subject to a wireless telecommunication facility permit issued pursuant to Chapter 159	C	C	C	C
Wireless telecommunication facilities located more than 100 feet from an R District subject to a wireless telecommunication facility permit issued pursuant to Chapter 159	P	P	P	P
Women's apparel accessory stores	P	P	P	P

(B) Any use permitted under § 155.053(E) of this chapter in RM Districts shall be permitted in a CN, CC, or CS District provided the minimum size of such dwelling units shall not be less than as set forth in the Building Code and Housing Code of the city.

(1) Dwelling units located above a permitted nonresidential use shall not be subject to the requirements for usable open space per dwelling unit of the RM-1,000 District.

(2) Setbacks for dwelling units located at ground level or above a residential use shall be as required by § 155.025 of this chapter. No setbacks shall be required for dwelling units located above a nonresidential use.

(3) Covered parking spaces located on the first floor of a structure containing only residential uses shall be subject to setbacks as required by § 155.025 for residential uses. Covered parking spaces located on the first floor of a structure containing mixed-uses shall not be subject to setback requirements.

(C) Any other use which is determined by the Commission, as provided in §§ 155.265 through 155.270 of this chapter, to be similar to the uses listed in division (A) of this section shall be a permitted use or a conditional use in the districts in which the uses to which it is similar are permitted uses or conditional uses.

(D) *Off-street parking.* Off-street parking facilities shall be provided for each use as set forth in §§ 155.115 through 155.124 of this chapter.

(E) *Off-street loading.* Off-street loading facilities shall be provided for each use as set forth in §§ 155.135 through 155.141 of this chapter.

(F) *Signs.* No sign, outdoor advertising structure, or display of any character shall be permitted except as set forth in §§ 155.155 through 155.169 of this chapter.

(G) *Site plan review and architectural review.* All permitted uses shall be subject to site plan review as set forth in §§ 155.180 through 155.188 of this chapter. Conditional uses shall be subject to architectural review.

(‘63 Code, § 10-5.903) (Ord. 80-C.S., passed 10-16-66; Am. Ord. 168-C.S., passed 7-2-71; Am. Ord. 512-C.S., passed 3-8-90; Am. Ord. 526-C.S., passed 6-20-91; Am. Ord. 631-C.S., passed 9-7-99; Am. Ord. 663-C.S., passed 11-19-02; Am. Ord. 710-C.S., passed 3-20-07; Am. Ord. 751-C.S., passed 6-1-10; Am. Ord. 757-C.S., passed 10-19-10; Am. Ord. 768-C.S., passed 5-3-11; Am. Ord. 774-C.S., passed 12-20-11; Am. Ord. 783-C.S., passed 5-1-12; Am. Ord. 791-C.S., passed 12-4-12) Penalty, see § 150.999

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techsupport@amlegal.com
 1.800.445.5588.