

Chapter 17.11 - ALLOWABLE LAND USES

Sections:

17.11.010 - Permitted, conditional and ancillary land uses—All zoning districts.

- A. Land Use Permit Requirements. The uses of land allowed by this development code in the commercial zoning districts are identified in the following table as being:
1. A permitted use (identified with a "P" in the table), means that the use is permitted in the particular zoning district as long as all other zoning district and special criteria are met.
 2. An accessory use (identified with an "A" in the table) means that the use is allowed as long as it is ancillary to another permitted use and as long as all other zoning district and special criteria are met.
 3. A conditional use (identified with a "C" in the tables), means that a use is allowed subject to approval of a conditional use permit (Section 17.62.060).
 4. A temporary use (identified with a "TUP" in the tables), means that a use is allowed subject to prior approval and issuance of a temporary use permit (Section 17.62.030).
- B. Uses Not Listed. Land uses that are not listed on the table or when a space in the table is blank in a particular zoning district, the land use is prohibited, except where provided by Section 17.11.020.
- C. Additional Permit/Approval Requirements. A use of land allowed in compliance with subsection (A) of this section, as well as any proposed development related thereto, shall also comply with the following where applicable:
1. A site plan review (Section 17.62.020), administrative plan review (Section 17.62.090), or development plan review (Section 17.62.070) is required for all new development and a scenic corridor permit (Section 17.62.050) is required for new development in a scenic corridor. Where no other authorization is required, a request for zoning clearance (Section 17.62.110) shall be required.
 2. Design review (Chapter 2.40 of the Municipal Code) where required by the General Plan, or any specific plan, master plan, or design guidelines; and
 3. A building or grading permit if required by Title 15, or any other permit or approval required by the Municipal Code.
- The review or clearance discussed in Subsection C.1 and 2. Above shall be completed and approved by the review authority before the proposed use of land is commenced or established and before site work on any proposed development is started. Proposed uses shall also comply with all other applicable provisions of this development code.
- D. Standards for Specific Uses. Where the last column in the following table ("See Section") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this development code may apply as well.
- E. All processes and activities related to a permitted or conditional use are to be conducted within a completely enclosed building or structure with the following exceptions: temporary uses (Section 17.62.030), outdoor storage of materials and finished product (where permitted), and outdoor dining areas.
- F. Land Use Table. Land uses listed in the following table shall be defined using the North American Industry Classification System (NAICS) unless otherwise defined in Article VII. Specific land uses within the table are grouped under the following major headings:

AGRICULTURE

RESIDENTIAL

INSTITUTIONAL

Educational

Medical

Public

Religious

Non-profit/Service Organizations—501(c)(3)

Utilities

COMMERCIAL

Alcohol

Automobile Related Services

Automobile Repair

Communications

Day Care Facilities

Eating/Drinking Places and Food Services

Entertainment and Recreation

Lodging

Offices

Retail
 Services
 Transportation

 INDUSTRIAL
 Light Industrial
 Manufacturing
 Warehousing/Storage
 Wholesale

TEMPORARY AND INTERIM USES

TABLE 2-2 - LAND USE TABLE

KEY: P=Permitted Use (See [Chapter 17.62](#) for required permit), C=Conditionally Permitted (CUP required),
 A=Allowed as an Accessory Use, TUP=Temporary Use (TUP required)

LAND USE	ZONE																See standards in section		
	RS	RM	RMH	RR	RC	PD	HM	OS	OS-DR	PF	REC	CL	CR	CO	CMU	CB		CT	
AGRICULTURE																			
Agricultural uses for fuel modification				A			A	A										17.12.030 D.& E.	
Equestrian Facilities				C	C		C	C			A								
Farm Animals				A			A/C	A/C										17.12.040	
Hobby Farms				A/C			A/C	A/C										17.12.110	
Kennels and animal boarding												C	C				C	17.12.1205	
Plant Nurseries												C	C				C		
RESIDENTIAL																			
Apartments, Condominiums, Duplexes and other Multi-Family Dwellings		P					p										C	C	17.12.145
Community center, neighborhood	C	C	C		C	C					P						C		
Emergency Shelters													P						17.12.090
Home Occupations	A	A	A	A	A	A	A	A									A	A	17.12.115
Mobilehome parks			C																17.12.135
Mobilehomes/manufactured housing (on a single lot)	P	P		P	P		P												17.12.140

Planned Development - Residential						C													
Residential accessory uses and structures	A	A	A	A	A	A	A	A								A			17.12.165
Residential care homes, six or fewer clients	P	P	P	P	P		P	P											
Residential care homes, seven or more clients		C													C			C (1)	
Rooming and boarding houses		C																	
Secondary housing units	P			P			P	P											17.12.170
Senior residential projects		P				P									C			C (1)	17.12.180
Single-family housing	P	P		P	P	P	P	P			P								
Transitional/Supportive housing	P (2)	P (2)																	
INSTITUTIONAL																			
Educational																			
Schools K-12:																			
- Private	C	C		C							C			C					
- Public	C	C		C	C						C			C					
Schools, Universities/Colleges:																			
- Private	C	C		C							C			C	C	C	C	C	
- Public											C			C	C	C	C	C	
Schools, Vocational/Trade											C			C	C	C	C	C	
Medical Services																			
Veterinarian Clinic and animal hospital														C	C	C	C	C	17.12.230
Assisted Living/Congregate Care Facility		C												C	C	C	C		C

Convalescent Care Facility (with continuous skilled nursing care)													C	C	C	C	C			
Hospital														C						
Medical Office/Clinic/Lab						P							C	P	P	P				
Pharmacies and Drug Stores						C								C	C			C		
Pharmacies as accessory use						A							A	A	A	A	A			
Public																				
Cultural Facilities																				
Cultural Facility						C							C	C	C	C	C	C	C	
Museum	C					C							C	C	C	C		C	C	
Public Facilities																				
Government Offices													P				P		P	
Other Government Facilities													P							
Library	C					P						P	C	C	P	P	P	P	C (1)	
Police / Fire Station	C	C			C	C						C		C	C	C	C	C		
Police Storefront / Substation	C	C			C	P						P		P	P	P	P	P	P (1)	
Recreation Facilities																				
Community center, regional													P	P			C		C	
Outdoor Recreation													P	P			C	C		C
Senior Citizen Activity Center						C								P	C	C			C	
Religious																				
Church /place of worship	C	C			C	C	C						P	P	P	P	P	P	P	
Non-profit / Service Organizations -501(c)(3)																				

Campaign Offices						P								P	P	P	P	P	P	(1)
Charitable Distribution Services (i.e. food banks, etc.)															C	C			C	
Charitable, Philanthropic, Service, and other Non-profit Organization Offices						P								P	P	P	P	P	P	(1)
Utilities																				
Public Utility / Service Structure	C	C				P								P	P	P	P	P		<u>17.02.020</u> (B)10
Public Utility Office						P								P	P	P	P	P	P	(1)
COMMERCIAL																				
Alcohol																				
Alcoholic Beverage Sales						C	(3)							C(3)	C(3)	C(3)	C(3)	C(3)	C	<u>17.12.035</u> (1) 3)
Wine/Beer Specialty Shop						C									C			C		<u>17.12.035</u> (1)
Automobile Related Services																				
Automotive Parts and Accessories Stores														P(5)	P				P	<u>17.18.035</u> (5)/C
Automobile Repair																				
Automotive Services - (i.e.: Tune-up, emission tests, batteries, etc.) (no use of impact wrenches or other equipment that could create noise impacts)														P(5)	P				P	<u>17.18.035</u> (If within CAR overlay zone)
Minor Repair (i.e.: Brakes, tires, radiators, electrical, etc.)														P(5)	P				P	<u>17.18.035</u> (If within CAR overlay zone)
Major Repair (i.e.: Engine and transmission repair/rebuild, etc.)														P(5)	P				P	<u>17.18.035</u> (5)/C

Restaurants (counter service)						P											C	P	P	P	C	C	(1)	
Restaurants (table service)						P												C	P	P	P	C	C	(1)
Entertainment and Recreation																								
Adult-entertainment Business																								17.12.025
Athletic Fields																				P				
Arcade																								
Auditoriums & Other Public Assembly Facilities																								
Bowling Alley																								
Dance Hall																								
Health and Fitness Club																								
Golf Course																								
Golf Driving Range	C	C																						
Live Entertainment																								
Motion Picture Theater																								
Outdoor Commercial Recreation																								
Pool and billiard rooms																								
Skate Park																								
Tennis / Swim Club																								
Theaters																								
Lodging																								
Bed and Breakfast Inn																								
Hotels / Motels																								
Offices																								
Business																								

Professional						P								P	P	P	P	P	C (1)
Property management		P	P			P								P	P	P	P	P	C (1)
Retail stores																			
Antique Stores						P								C	P		P	P	C (1)
Art Galleries and Art Supply Store						P								C	P		P	P	C (1)
Beauty Supply Store						P								C	P		P	P	C (1)
Book Stores						P								C	P		P	P	C (1)
Building Materials															C			C	C (1)
Garden Supply / Nursery														C	P			C	
Hardware Store															P		C	C	C (1)
Camera and Photographic Supply Store						P								C	P		P	P	C (1)
Cigar and other Tobacco Products Store						P								C	P		P	P	C (1) <u>17.12.225</u>
Clothing & Accessory Stores						P								C	P		P	P	C (1)
Computer and Home Electronic Stores						P								C	P		P	P	C (1)
Florist						P								C	P		P	P	C (1)
Food and Beverage Stores																			
Bakery (Retail)						P								C	P		P	P	C (1)
Convenience Store						C								C	C		C		
Delicatessen						P								C	P	P	P	P	C (1)

Sporting Goods Stores						P									C	P		P	P	C	(1)
Studios for dance, art, music, photography, etc.						P									P	P	P	P	P	C	(1)
Business Services																					
Advertising Agency						P									P	P	P	P	P	C	(1)
Data Processing Services						P									P	P	P	P	P	C	(1)
Equipment Sales and rental						P									P	P	P	P	P	C	(1)
Photocopying & Duplicating Services						P									P	P	P	P	P	C	(1)
Photography Studio						P									P	P	P	P	P	C	(1)
Financial Services																					
Automated Teller Machine (ATM)						A/P									A/P	A/P	A/P	A/P	A/P	C	(1)
Banks, Credit Unions and other Depository Institutions						P									P	P	P	P	P		
Check Cashing and Loan Services						P									P	P	P	P	P		
Other Financial Services						P									P	P	P	P	P	C	(1)
Personal Services																					
Barber Shop & Beauty /Nail Salon						P									P	P		P	P		
Cemeteries and Mausoleums															C	C					17.12.060
Day Spa						P									P	P		P	P		17.12.155
Dry Cleaner						P									P	P		P	P	C	(1)
Fortunetelling																P					17.12.095
Laundry - Commercial															P	P		P	P	C	(1)

TEMPORARY AND INTERIM USES																		
Construction Yards														T	T			17.62.030
Location Filming	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Chapter 5.04 & 17.62.030
Parking Lot Sales														T	T		T	17.62.030
Seasonal Sale (Christmas Tree, Pumpkin, and similar Lots)														T	T		T	17.62.030
Special Events (Street/Craft fair and Farmers Markets)															T		T	17.62.030
Storage - Temporary Portable Containers	T	T	T	T	T	T	T	T						T	T	T	T	17.62.030
Temporary Structures (i.e. subdivision sales office, etc.)	T		T	T	T	T		T										17.62.030

Notes:

- (1) Use allowed only where in compliance with the Old Town Calabasas Master Plan and Design Guidelines.
- (2) Use falls under Residential Care Homes and is subject to applicable standards and conditions.
- (3) Allowable only in conjunction with a primary allowable use (e.g., convenience store, grocery store, restaurant, etc.).
- (4) Research and Development Services/Laboratories are allowed in the CO zone only as accessory to an office use, as follows:
 - (a) The use shall not exceed ten (10) percent of the total building(s) floor area; and
 - (b) The use shall be limited to properties having a building(s) with a minimum floor area of 100,000 square feet.
- (5) Allowed as a "Permitted" use only within the Commercial Auto Retailer (CAR) Overlay Zone and subject to the requirements in [Section 17.18.035](#).

(Ord. No. 2010-265, § 3, 1-27-2010; Ord. No. 2010-272, § 4, 4-28-2010; Ord. No. 2012-296, § 1(Exh. A), 4-25-2012; Ord. No. 2012-303, § 1(Exh. A), 11-28-2012; [Ord. No. 2014-310, § 1\(Att. A\)](#), 2-12-14; [Ord. No. 2014-311, § 3\(Exh. A\)](#), 2-26-2014; [Ord. No. 2015-330, § 2\(Exh. A\)](#), 1-13-2016; [Ord. No. 2016-343](#), § 3, 1-11-2017; [Ord. No. 2017-351](#), § 3(Att. 1), 3-22-2017)

17.11.020 - Determination of similar use.

- A. Allowable Uses of Land. When a use is not specifically listed in this development code, the use is prohibited except as follows:
 - 1. It is recognized that every conceivable use cannot be identified by this development code, and new uses will develop over time. This section authorizes the director to fit an unidentified use within a use or uses identified in this development code; provided, the unidentified use has similar impacts, functions and characteristics. The director may make a "determination of similar use" decision, which is a determination that the proposed use is similar to one or more other permitted and listed uses. In making a determination of similar use the director shall identify the similar use or uses and shall consider the following:
 - a. Volume and type of sales (retail or wholesale), the size and type of items sold and nature of inventory on the premises;
 - b. Processing, assembly, manufacturing, warehousing, shipping and distribution done on the premises; and dangerous, hazardous, toxic or explosive materials used in processing;
 - c. Nature and location of storage and display of merchandise (enclosed, open, inside or outside the principal building), and the predominant types of items stored (business vehicles, work-in-progress, inventory and merchandise, construction materials, scrap and junk);
 - d. Type, size and nature of buildings and structures supporting the use;

- e. Number and density of employees and customers, business hours and employment shifts;
 - f. Transportation requirements by volume, type and characteristics of traffic generation to and from the site and trip purposes;
 - g. Parking characteristics, turnover and generation, and the ratio of the number of spaces required per unit area or activity; and
 - h. Amount and nature of potential nuisances generated on the premises (smoke, noise, odor, glare, vibration, radiation, fumes, etc.).
2. In making a determination of similar use, the director may attach reasonable conditions and restrictions to the use, in addition to those required by this development code, which will ensure that the use:
- a. Will not endanger the public health, safety or general welfare;
 - b. Will not injure the value of adjoining or abutting property;
 - c. Will not result in any significant environmental impacts;
 - d. Will be in harmony with the area in which it is located; and
 - e. Will be in conformity with the General Plan and/or applicable specific plan(s).
- B. Application. An application for a determination of similar use shall be submitted on forms provided by the department. The application shall include a description of use for which a determination is requested, together with the reasons why the applicant believes the determination is justified.
- C. Findings. In making a determination of similar use, the director shall clearly establish the following findings of fact:
1. The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the adopted General Plan;
 2. The proposed use meets the stated purpose and general intent of the zoning district in which the use is proposed to be located;
 3. The proposed use will not adversely impact the public health, safety or general welfare of the city's residents; and
 4. The proposed use shares characteristics common with, and is not of a greater intensity, density or generate more environmental impact than, those listed in the zoning district in which it is to be located.
- D. Applicable Standards and Permit Requirements. When the director determines that a proposed, but unlisted, use is similar to a permitted use, the proposed use will be treated in the same manner as the permitted use in determining where it is allowed, what permits are required and what other standards and requirements of this development code apply. Each determination of similar use shall be site specific and shall not apply district wide.
- No person shall allow, conduct, establish or maintain an unlisted use in any district in the city, or start site work on a related proposed development prior to obtaining a written determination of similar use from the director and complying with all other requirements in this development code.
- No person shall allow, conduct, establish or maintain a use in violation of conditions that accompany a determination of similar use. No person shall expand or intensify a use that has been approved pursuant to a determination of similar use without prior written approval from the director.
- E. Commission Review or Determination. The director shall report determinations of similar land uses in compliance with this subsection to the commission at the next regularly scheduled commission meeting, either orally or as part of the commission's consent calendar. The director may forward questions about equivalent uses directly to the commission for a determination at a public meeting.
- F. Appeals. The decision of the director is appealable to the commission and decisions by the commission are appealable to the council pursuant to [Chapter 17.74](#).

(Ord. No. 2010-265, § 3, 1-27-2010)