



ECONOMIC DEVELOPMENT ADVISORY COMMITTEE  
MEMO

**TO:** Economic Development Advisory Committee Members  
**DATE:** March 17, 2011  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nelia C. Dyer, Community Development Director  
**SUBJECT:** Permitted and Conditional Uses in the Business Park (BP), Neighborhood Commercial (C-1), and Highway Service Commercial (H-C) Zones

---

At the community workshop held on March 7, 2011, many community members voiced their comments and concerns regarding the types of uses they want to see (and do not want to see) in the study area. While it was not pointed out to the community by staff at that workshop, there was a list of permitted and conditional uses for the underlying and planned zones in the study area that was posted on the wall in the event that there were questions regarding uses. This same list is noted below. Please note that this information is taken directly from Winters Municipal Code, Chapter 17.52 (Land Use Regulations: Zoning Matrix) (See attached).

**BUSINESS INDUSTRIAL PARK (B/P) ZONE**

*Permitted Uses*

- Automobile Repair, Minor
- Business Service
- Financial Institutions
- Equipment Sales, Rental, and Repair
- Office, Business and Medical
- Service Station
- Finished Goods Assembly
- Recycling Center Collection
- Utility Services, Minor

*Conditional Uses*

- Adult Entertainment

- Automobile Repair, Major
- Funeral Parlor
- Nurseries
- Outdoor Sales
- Personal Storage
- Recreation, Indoor or Outdoor
- Recreational Vehicle Park
- Restaurant
- Retail Sales, General
- Heavy Equipment Terminal
- Assembly Hall/Community Services
- Communication Equipment Facility
- Day Care, General
- Government Offices
- Hospital
- Religious Institutions
- Safety Service

## NEIGHBORHOOD COMMERCIAL (C-1) ZONE

### *Permitted Uses*

- Automobile Repair, Minor
- Business Service
- Financial Institutions
- Equipment Sales, Rental, and Repair
- Nurseries
- Office, Business and Medical
- Restaurant
- Retail Sales, General
- Service Station
- Recycling Center Collection
- Utility Services, Minor

### *Conditional Uses*

- Automobile Repair, Major
- Bar, Cocktail Lounge
- Restaurant, Drive-Through
- Roadside Stand
- Veterinary Hospital, Kennel

- Assembly Hall/Community Services
- Communication Equipment Facility
- Convalescence and Care Services
- Cultural Facility
- Public Park
- Religious Institutions
- Safety Services
- Dwelling, Multiple Family

## **HIGHWAY SERVICE COMMERCIAL (C-H) ZONE**

### *Permitted Uses*

- Automobile Repair, minor
- Restaurant
- Restaurant, Drive-Through
- Service Station
- Utility Services, Minor

### *Conditional Uses*

- Hotel, Motel
- Recreational Vehicle Park
- Retail Sales, General
- Communication Equipment Facility
- Public Parks

---

**Chapter 17.52**  
**LAND USE REGULATIONS: ZONING MATRIX**

Sections:

- 17.52.010 Range of uses.
- 17.52.020 Land Use/Zone Matrix.

**17.52.010 Range of uses.**

Uses within the city shall be consistent with the land use zone matrix, contained in Table 2 set out in Section 17.52.020.

A. Permitted Uses.

Permitted uses are included on the land use/zoning matrix by the letter "P" in the box defined by a use and zone designation. These uses are allowed in the zones indicated without discretionary review, subject to compliance with the development, parking, landscaping and other standards of the zoning ordinance.

B. Conditional Uses.

Conditional uses are indicated on the land use/zoning matrix by the letter "C" in the box defined by a use and zone designation. Conditional uses may be permitted subject to obtaining a use permit from the planning commission or zoning administrator, as regulated elsewhere in this title.

C. Temporary Uses.

Temporary uses are indicated on the land use/zoning matrix by the letter "T" in the box defined temporary uses. These temporary uses are allowed subject to obtaining a temporary activity permit from the zoning administrator.

D. Accessory Uses.

Accessory uses are secondary to a primary or principal use on a site. Accessory uses are permitted in all zoning districts.

E. Uses Not Listed.

The land use/zoning matrix is not intended to be a comprehensive list of all possible uses, but rather the more common uses likely to be proposed in the city. Uses not specifically covered by any use category but which appear to be similar in nature to permitted or conditional uses shall be reviewed by the community development director, who shall determine the use classification based upon activity characteristics of the proposed use. A proposed use shall otherwise be considered a prohibited use where it is not provided for within a zone. (Ord. 97-03 § 2 (part): prior code § 8-1.5201)

**17.52.020 Land Use/Zone Matrix.**

**LAND USE/ZONE MATRIX**

KEY: Zoning Designations:

C= Conditional Use (A-1) General Agricultural (R-4) High Density Residential (B/P) Business Industrial Park

P= Permitted Use (R-R) Rural Residential (C-1) Neighborhood Commercial (M-1) Light Industrial

T= Temporary Use (R-1) Single-Family Residential (C-2) Central Business District (M-2) Heavy Industrial

(R-2) One-and Two-Family Residential (C-H) Highway Service Commercial (PQP) Public/Quasi-Public

(R-3) Multifamily Residential (O-F) Office (PD) Planned Development

AGRICULTURAL USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Agricultural Operation	P	C														P	
Animal Production	P															C	
COMMERCIAL AND OFFICE USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Adult Entertainment											C	C					
Automobile Repair, Major							C	C			C	C	P				
Automobile Repair, Minor							P	P	P		P						
Bar, Cocktail Lounge							C	C									
Bed and Breakfast Inn			C	C	C	C		C									
Business Service							P	P		P	P						
Financial Institutions							P	P		P	P						
Equipment Sales, Rental, Repair							P	P			P						
Funeral Parlor								P			C						
Hotel, Motel								C	C								
Nurseries	P						P	P			C	C					
Office, Business and							P	P		P	P						

Medical																				
Outdoor Sales								C	C					C						
Personal Storage									C				C	C				C	C	
Recreation, Indoor or Outdoor								C	C				C	C						
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*			
Recreational Vehicle Park										C			C							
Restaurant								P	P	P				C						
Restaurant, Drive-Through								C	C	P										
Retail Sales, General								P	P	C				C						
Roadside Stand	P	C						C	C											
Service Station								P	P	P				P						
Veterinary Hospital, Kennel	C							C	P											
INDUSTRIAL USES																				
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*			
Finished Goods Assembly												P	P	P						
Heavy Equipment Terminal												C	C	P						
Laboratory, Research, Equipment											C		C	C						
Manufacturing, Heavy General														C						
Manufacturing, Light General													C	P						
Mineral Extraction	C													C	C		C			
Recycling Center Collection								P	P			P	P	P						
Recycling and Salvage Yards														C						
Warehouse,													C	P						



or Duplex																		
Mobile Home Park		C	C	C	C	C												
Residential Care Facility		C	C	C	C									C				
TEMPORARY USES																		
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*	
Arts and Crafts Show	T						T	T	T	T	T	T	T	T	T	T	T	T
Carnivals/Fairs/Fund Raisers	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Construction Trailers	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Religious Assembly	T													T	T	T	T	
Seasonal Sales	T	T					T	T	T		T	T		T	T	T	T	

Footnotes:

1. Affordable or market rate duplexes are allowed on all corner lots in the R1 and R2 zones citywide. 2003-01 §5
2. Only if an existing historical structure is planned for relocation to a C-2 zone that adjoins a residential district.
3. A single residential unit is allowed at a business located in the Central Business District Zone (C-2) upon planning commission approval of a Conditional Use Permit (CUP), while multi-family residential is allowed above a business in the C-2 Zone upon planning commission approval of a CUP. A residential unit proposed for a first floor area must be occupied by the property owner or licensed business proprietor, at least four hundred (400) square feet in size, and located at the rear of the business. No more than twenty (20) percent of the existing first floor area can be converted into residential uses and the existing first floor area must be at least two thousand (2,000) square feet in size.

\* All PD uses per PD permit, and as consistent with the general plan.

Also see: Chapter 17.36 (Design review). Design review may be required, including for land uses which are otherwise permitted by this title, depending upon the type and location of the development project proposed.

\*\* A commercial use operating from a residential structure originally constructed as a residential structure can be converted from a commercial use to a residential use.

(Ord. 2006-06 § 1; Ord. 2006-02 § 1; Ord. 2004-01; Ord. 2003-01 § 5; Ord. 2001-08; Ord. 97-03 § 2 (part); prior code § 8-1.502)

**This page of the Winters Municipal Code is current through Ordinance 2010-02, passed March 8, 2010.**

Disclaimer: The City Clerk's Office has the official version of the Winters Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofwinters.org/>  
Telephone number: (530) 795-4910  
Code Publishing Company