

Exhibit B

Chapter 25.16 – Commercial and Industrial Districts

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25.16.010 Purpose

The purpose of this chapter is to establish commercial and industrial zoning districts in the City, along with allowed use and development standards applicable to those districts. These districts are consistent with and implement the City’s General plan commercial and industrial district and center land use categories as indicated in Table 25.04-1 (Zoning Districts).

25.16.020 Characteristics of the Commercial and Industrial Districts

The following descriptions of each district identify the characteristic uses, intensity of uses, and intended level of development for that district.

- A. **Office Professional (OP).** This district is intended for various levels of intensities for business, office, administrative, research and development, and/or professional land uses. This district is characterized by urban streetscapes with formal tree arrangements and larger block sizes.

- B. **Planned Commercial (PC).** The PC districts provide flexibility for commercial and mixed-use development. Generally, these districts are characterized as coordinated projects that integrate compatible commercial and residential mixed-uses. PC districts balance the need for automobile parking and pedestrian connections that are organized around walkable streetscapes and other pedestrian amenities. PC districts are further refined based on property size, proximity to residential uses, and as described below:
 - 1. **Specialty Commercial Center (PC-1).** The specialty commercial center provides for small-scale commercial development that primarily serves surrounding neighborhoods and other immediate land uses. This district is characterized as being located in close proximity to residential development and, as such, provides high levels of convenient pedestrian access. This district also promotes the development of mixed-use (10.0 – 15.0 du/ac) as a transition between residential uses and other development types.

 - 2. **District Commercial Center (PC-2).** The district commercial center provides convenient shopping opportunities outside of the downtown core area. This PC district provides large-format retail areas for the broader community and provides flexibility for the integration of mixed-use (10.0 – 15.0 du/ac) on upper floors of commercial buildings. The center is also characterized by traditional parking lots

with formal tree arrangements and spacing and sufficient space for pedestrian areas and open space.

3. **Regional Commercial Center (PC-3).** The regional commercial center provides a unified area for commercial uses which offer a wide range of goods and services, including comparison and convenience shopping, entertainment, cultural, and recreational uses. The district provides for large-scale, large-format, commercial development that serves the broader region and is generally located around major intersections and properties in proximity to freeway overpasses. Although this district is predominately commercial, mixed-use (10.0 – 15.0 du/ac) is allowed and should be integrated into developments on the upper floor.
 4. **Resort Commercial Center (PC-4).** The resort commercial center allows for the development of a range of entertainment, hospitality, restaurants, and recreational facilities with related commercial uses to serve visitors to the City. The district is characterized by multi-story development that provides recreation and entertainment amenities in accordance with its urban/natural setting, and provides flexibility to integrate mixed-use (10.0 du/ac).
- C. **Service Industrial (SI).** This district allows for the development of traditional business parks that allow for manufacture, distribution, research and development, and service of products intended for use within Palm Desert and surrounding communities. The district is characterized as having a more urban setting with buildings located near roadways, shared and connected parking, and streetscapes with formal street tree arrangements.

25.16.030 Allowed Land Uses and Permit Requirements

Table 25.16-1 (Use Matrix for Commercial and Industrial Districts) identifies allowed uses and corresponding permit requirements for commercial and industrial districts and all other provisions of this title. Descriptions/definitions of the land uses can be found in Chapter 25.99 (Definitions). The “Special Use Provisions” column in the table identifies the specific chapter or section where additional regulations for the specific use type are located within this ordinance.

Use regulations in the table are shown with representative symbols by use classification listing: “P” symbolizes uses permitted by right, “A” symbolizes uses that require approval of an administrative use permit, “C” symbolizes uses that require approval of a conditional use permit, and “N” symbolizes uses that are not permitted. Uses that are not listed are not permitted. However, the Commission may make a use determination as outlined in Section 25.72.020 (Use Determinations).

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Table 25.16-1: Use Matrix for Commercial and Industrial Districts

	Commercial/Industrial District (P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)						Special Use Provisions
	OP	PC-1	PC-2	PC-3	PC-4	SI	
Residential Uses							
Caretaker housing	N	N	N	N	N	P	25.16.040.A
Condominium	C	C	C	N	C	C	25.16.040.B
Dwelling, duplex	C	C	C	C	C	C	25.16.040.B
Dwelling, multifamily	C	C	C	C	C	C	25.16.040.B
Dwelling, single-family	C	C	C	N	C	C	25.16.040.B
Group home	C	C	N	N	C	C	25.16.040.B
Single-room occupancies	N	N	N	N	N	C	
Homeless Shelter	N	N	N	N	N	P	
Recreation, Resource Preservation, Open Space, and Public Assembly Uses							
Amusement facility, indoors	N	N	C	C	C	N	
Amusement facility, outdoors	N	N	N	C	C	N	
Community facility	N	N	N	N	N	P	
Day care center	N	C	C	C	C	N	
Emergency shelters	N	P	N	N	N	P	
Entertainment facility, indoor	N	N	N	P	P	N	
Entertainment facility, outdoor	N	N	N	P	P	N	
Institution, educational	C	C	C	N	N	C	
Institution, general	C	N	C	N	N	C	
Institution, religious	C	N	C	N	N	C	
Open space (developed or natural)	N	P	P	N	P	N	
Recreation facility, commercial	N	N	P	P	P	N	
Recreation facility, private	N	N	N	P	P	N	
Theater/auditorium	N	N	P	P	N	N	
Utility, Transportation, Public Facility, and Communication Uses							
Commercial communication tower	C	C	C	C	C	C	25.16.040.C
Commercial parking lot	C	N	N	N	N	N	
Public utility installation	N	N	N	N	N	P	
Public facility (utility or service)	N	N	N	N	N	P	
Utility facility	N	N	C	N	N	P	

Retail, Service, and Office Uses							
Adult entertainment	N	N	N	N	N	C	25.16.040.D
Ancillary commercial	A	P	P	P	N	A	25.16.040.E
Art gallery	A	P	P	P	P	C	
Art studio	A	P	P	P	P	C	
Bed and breakfast	N	A	A	A	A	N	
Business support services	N	N	N	N	P	P	
<u>Cannabis Retail</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>25.34.120</u>
<u>Cannabis Testing and Resaerch Laboratory</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>25.34.120</u>
Convention and visitors bureau	N	N	P	N	P	N	
Drugstore	N	P	P	P	N	N	
Financial institution	C	P	P	P	N	N	
Grocery store	N	P	P	P	N	N	25.16.040.F
Health club, gyms or studios	N	A	P	P	P	C	
Hotel	N	A	A	A	P	N	
Liquor store	N	P	P	P	N	N	
Liquor, beverage and food items shop	N	P	P	P	P	N	
Medical, clinic	P	N	P	P	N	N	
Medical, office	P	P	P	P	N	N	
Medical, hospital	N	N	N	N	N	C	
Medical, laboratory	P	N	N	N	N	P	
Medical office, accessory	N	N	N	N	N	P	25.16.040.G
Medical, research facility	P	P	N	N	N	C	
Mortuary	N	N	N	N	N	P	
Office, professional	P	N	P	P	P	P	
Office, local government	P	N	N	N	N	P	
Office, travel agency	P	P	P	P	P	N	
Outdoor sales	N	N	A	A	A	A	
Personal services	N	P	P	P	P	N	
Restaurant	A	C	C	C	P	C	25.16.040.E / H
Retail	N	P	P	P	P	N	
Retail, bulky items	N	N	N	P	P	N	
Spa	N	N	P	P	P	N	
Time-share project	N	N	N	C	C	N	
Automobile and Vehicle Uses							

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Automotive rental agency	N	N	N	N	P	P	
Automotive gasoline station	N	N	C	C	N	C	25.34.090
Automotive service facility	N	N	C	C	N	P	25.34.090
Automotive sales new and used (Outdoor / Indoor)	N	N	N	N	N	C	
Automotive sales of accessory parts and supplies	N	N	N	P	P	N	
Vehicle storage facility	N	N	N	N	N	P	25.16.040.I
Industrial, Manufacturing, and Processing Uses							
<u>Cannabis Cultivation</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>25.34.120</u>
<u>Cannabis Delivery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>25.34.120</u>
<u>Cannabis Distribution</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>25.34.120</u>
<u>Cannabis Manufacturing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>25.34.120</u>
Industrial planned unit development	N	N	N	N	N	P	
Light industrial and research and development	N	N	N	N	N	P	
Maintenance facility	N	N	N	N	N	P	
Pest control facility	N	N	N	N	N	P	
Preparation of foodstuffs	N	N	N	N	N	P	
Production of home and office decor accessories	N	N	N	N	N	P	
Warehouse or storage facility	N	N	N	N	N	P	
Temporary Uses							
See Section 25.34.080							

¹ The establishment may be permitted with an Administrative Use Permit but may be elevated to a Conditional Use Permit at the discretion of the ZA based on: parking, traffic, or other impacts.

25.16.040 Specific Use Standards

The following provisions apply as indicated to the uses listed in Table 25.16-1 (Use Matrix for Commercial and Industrial Districts):

- A. **Caretaker Housing.** Permitted only when incidental to and on the same site as a permitted or conditional use.
- B. **Residential (mixed use).** Residential uses may be established and maintained to be compatible with the permitted or the approved conditional uses in the vicinity.
- C. **Commercial Communication Tower.** All communication towers and antennas shall satisfy the requirements of Section 25.34.130 (Communication Tower and Antenna Regulations).

- D. **Adult Entertainment.** All uses defined as adult entertainment are required to meet the provisions established by Section 25.34.110 (Adult Entertainment Establishments).
- E. **Commercial (ancillary).** Applicable only to office and industrial complexes that occupy a minimum of two acres. Restaurant uses shall not exceed 10 percent of the gross leasable floor area and the total ancillary commercial uses, including restaurants, shall not exceed 25 percent of the gross leasable floor area of the complex. A Conditional Use Permit or Administrative Use Permit is required to review land-use compatibility and to ensure that adequate parking exists to serve the commercial use.
- F. **Grocery Stores.** Limited to a maximum building size of 10,000 square feet in PC-1, 30,000 square feet in PC-2, and 60,000 square feet in PC-3.
- G. **Medical Offices, accessory.** Permitted only when ancillary to and in conjunction with the operation of a hotel.
- H. **Restaurants.** Drive-through and drive-in facilities permitted by a conditional use permit as follows:
 - 1. **Permitted locations.**
 - i. Within Freeway Commercial Overlay District
 - ii. On the following streets and as indicated in Figure 25.10-2: Monterey Avenue and Portola Avenue from the northern city boundary to the north side of Gerald Ford Drive.
 - 2. **Development standards.**
 - i. Drive-through lanes and window facilities shall be designed in a manner that they are screened and/or not visible from surrounding public streets.
 - ii. Drive-through vehicle queue must be permanently screened and/or not visible from surrounding public streets.
- I. **Vehicle Service and Storage Facility.** The storage facility must be completely screened.

25.16.050 Development Standards

The development standards included in Table 25.16-2 (Commercial and Industrial District Development Standards) are applicable to commercial and industrial districts. These standards, along with other development standards (e.g., landscaping requirements, signs, and parking standards) located in the zoning ordinance, are intended to assist property owners and project designers in understanding the City's minimum requirements and expectations for high-quality development.

- A. **Special setback requirements.** In addition to the setback requirements in Table 25.16-2 (Commercial and Industrial District Development Standards) the following special setback provisions apply:
 - 1. On interior lots in the PC zone districts, setbacks shall be the lesser of the setback requirement listed in Table 25.16-2 (Commercial and Industrial District Development Standards). For exterior lots or projects perimeter adjacent to public streets the setback standards below shall apply. Said setbacks shall be measured from the property line.
 - 2. Building setbacks from planned street lines:

Table 25.16-2: Setbacks from Planned Street Lines

Street Type	Setback Distance
Freeway	50 feet
Major	32 feet
Arterial	32 feet
Collector	25 feet
Local	25 feet

3. Where commercial districts abut a residential district, a fence or wall 6 feet in height shall be located adjoining the property line except adjoining a required front yard. All commercial district property lines adjoining a residential district shall be landscaped with plant materials for an area 10 feet in depth.
 4. All nonpaved areas shall be landscaped and treated or maintained to eliminate dust.
- B. Exceptions: Development standards within the PC districts may be modified through the precise plan process as specified in Section 25.72.030 Special standards within the Service Industrial (SI) district.

Sound emanating from industrial properties shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness. The measurements of sound shall be measured at the lot lines and shall be measured to decibels with a sound level meter and associated octave band filter, manufactured according to standards prescribed by the American Standards Association. Maximum permissible sound pressure levels shall comply with the limits at table 25.16-2 and the following standards:

Table 25.16-3: Maximum Permitted Decibels

Octave Band in Cycles-Second(decibels)	Adjacent Residential District Boundaries(decibels)	Lot Line of Use in the SI Zone(decibels)
0-75	72	79
76-150	59	74
151-300	52	66
301-600	46	59
601-1200	42	53
1201-2400	39	47
2401-4800	34	41
Above 4800	32	39

1. The maximum sound pressure level in decibels shall be 0.002 dynes per square centimeter.

2. Toxic gases or matter shall not be emitted which can cause any damage to health, animals, or vegetation, or other forms of property, or which can cause any excessive soiling beyond the lot lines of the use.
3. Vibration from any machine, operation, or process which can cause a displacement of .003 of 1 inch as measured at the lot lines of the use shall be prohibited. Shock absorbers or similar mounting shall be allowed which will reduce vibration below .003 of 1 inch as measured at the lot lines.
4. Glare and heat from any source shall not be produced beyond the lot lines of the use.
5. Storage of refuse, trash, rubbish, or other waste material outside a permanent building shall be kept in enclosed containers in areas other than the front and side yards.
6. Lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking areas, loading and unloading areas, and the like shall be shielded, focused, directed, and arranged as to prevent glare or direct illumination on streets or adjoining property.
7. Unless specific additional uses are permitted by the certificate of occupancy, the use of radioactive materials within the SI district shall be limited to measuring, gauging and calibration devices, as tracer elements, in x-ray and like apparatus, and in connection with the processing and preservation of foods. In no event shall radioactivity, when measured at each lot line, be in excess of 2.7×10^{-11} micro curies per milliliter of air at any moment of time.
8. Electrical and electronic devices and equipment shall be suitably wired, shielded, and controlled so that in operation they shall not, beyond the lot lines, emit any electrical impulses or waves which will adversely affect the operation and control of any other electrical or electronic devices and equipment. (Ord. 96 § 1, 1975, Exhibit A § 25.20-7.16)

C. Special standards within the Office Professional (OP) district.

1. When adjacent to single-story residential, the rear and exterior side yard setbacks shall be increased by 6.43 feet for each foot of building height above 18 feet up to 25 feet tall. See table below:

Table 25.16-4: Additional Setback in OP District

Height	Setback Distance
19 feet	26.43 feet
20 feet	32.86 feet
21 feet	39.29 feet
22 feet	45.72 feet
23 feet	52.15 feet

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24 feet	58.58 feet
25 feet	65 feet

- 2. Second-story Windows: Second-story windows are allowed to face adjacent single-story residential zones with sufficient screening; either with landscaping or another method as approved through the precise plan process.

Table 25.16-4: Commercial and Industrial District Development Standards

	Commercial/Industrial District						
	OP		PC-1 ¹	PC-2 ¹	PC-3 ¹	PC-4 ¹	SI
Lot Dimensions							
Lot size, min	15,000 sf		3 ac	5 ac	30 ac	4 ac	20,000 sf
Lot size, max	None		10 ac	20 ac	None	None	None
Lot width, min	70'		None	None	None	No min	100'
Lot depth, min	140'		None	None	None	No min	100'
Setbacks²							
Front yard, min	12' min, 15' avg		–	–	–	30'	20'
Side yard, min (interior/exterior)	0'/20' ^{3,4,7}		0'/20' ^{3,4}	0'/20' ^{3,4}	–	15'	0'/10' ⁵
Street side yard, min	12' min, 15' avg		–	–	–	–	10'
Rear yard, min	0'/20' ^{3,4}		0'/20' ^{3,4}	0'/20' ^{3,4}	–	20'	0'/25' ⁵
Coverage							
Floor Area Ratio	0.75		0.5	1.0	1.0	0.10	0.75
Residential Density Range (mixed-use)	10.0		10.0 – 15.0	10.0 – 15.0	10.0 – 15.0	10.0	-
Building Measurements							
Height, max (single-use)	40', 3 stories		35', 2 stories	35', 2 stories	35', 2 stories	55', 4 stories	40', 3 stories
Height, max (mixed-use)	40		40	40	40	55	-
No. of Stories (mixed-use)	3		3	3	3	4	-
Building size, max ⁸	–		10,000 sf	30,000 sf	–	–	–

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	Commercial/Industrial District							
	OP		PC-1 ¹	PC-2 ¹	PC-3 ¹	PC-4 ¹	SI	
Landscaping								
Required landscaping, min percentage of lot area	15%		15%	15%	20%	20% ⁹	–	–
Depth of landscaping in street setback area, min	10'		10'	20'	30'	10'	–	–

Notes:

1. Development standards may be modified through the precise plan process as specified in Section 25.72.030.
2. See Section 25.16.050 A (Special Setback Requirements).
3. When an OP, PC-1 or PC-2 zone is adjacent to a commercially or industrially zoned property, the setback is zero.
4. When an PC-1, or PC-2 zone is adjacent to a residentially zoned property, the minimum required setback for a commercial structure or a joint use commercial and residential structure is equal to the building's height.
5. When an SI zone is adjacent to or across the street from residentially zoned property, the minimum side setback is 10 feet and the minimum rear setback is 25 feet.
6. The side yard setback may be 0 feet where the main building structure on the same lot line of the abutting parcel is set back at 0 feet and both parcels are developed at the same time.
7. When adjacent to single-story residential, see Section 25.16.050 E (Additional Setback in OP District).
8. This standard refers to the maximum area for any single commercial enterprise.
9. For hotels, a minimum of 25 percent of the site area must be usable landscaped open space and outdoor living and recreation area with an adequate irrigation system.