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TITLE 3 LAND USE AND DEVELOPMENT CODE CHAPTER II: ZONING REGULATIONS ARTICLE 2 ZONING DISTRICTS							

Sec. L-II 2.4 Commercial Districts

A. Purpose of Section.

1. To provide appropriate commercial areas for retail and service establishments, neighborhood convenience and office uses that meet the needs of community, and provide employment opportunities, consistent with General Plan policy,
2. To provide adequate space to meet the needs of commercial development, promote high standards of site planning and design, and ensure compatibility with surrounding land uses,
3. To ensure adequate levels of public facilities and services, minimize traffic congestion, and facilitate the provision of public improvements commensurate with anticipated increases in commercial land uses.

B. Purposes of Individual Districts.

1. **C1 (Neighborhood Commercial).** The C1 District is intended to provide for the retail and service needs of nearby neighborhoods, and to provide limited mixed use employment opportunities. Development is intended to be grouped as a clustered and contiguous center to preclude strip development.
2. **C2 (Community Commercial).** The C2 District is intended to provide a wide range of retail and service uses that serve the varied needs of large geographic areas.
3. **C3 (Service Commercial).** The C3 District provides for specialized intensive repair and related service uses, which may have extensive storage needs and require convenient, controlled access to arterial or major collector roads to serve large geographic area. Such uses include the repair and service of equipment, materials, and products, and are often considered inappropriate in primary retail areas due to size or operating characteristics.
4. **CH (Highway Commercial).** The CH District provides commercial locations for highway-related and tourist services along State highways. Development within this District should be grouped as a contiguous center to preclude strip development, with convenient, controlled access to Interstate, freeway, or primary arterial routes. Such facilities should be designed and located to provide a broad range of services to the traveler and not to impede traffic.
5. **OP (Office & Professional).** The OP District provides areas for the development of professional and administrative offices and related uses and structures that complement other commercial centers and are considered compatible with adjacent residential and related land uses.

C. Standards. Within the C1, C2 and C3 Districts the following limitations shall be applicable to light industrial uses:

Light industrial uses that do not exceed 33.3% of the total gross floor area on a single commercial site. Only light industrial uses which generate impacts similar to, or less than, those of listed allowable uses within the district, shall be permitted, and no such use may be established until the primary commercial use has been established on the site. For the purpose of this Section, light industrial use shall include research and development, light assembly and production processes that do not generate dust, fumes, odors, or other emissions detectable from outside the building. Light industrial activities shall be conducted completely within an enclosed building and shall not include warehousing that is not related to a primary commercial use on the site. The following site-specific impact analyses shall be included with the submittal of the Use Permit application:

1. An analysis of land use impacts associated with the proposed light industrial use.
2. An analysis of site-specific air quality impacts associated with the project's stationary source emissions. The impact analysis shall define any chemicals and materials used in the manufacturing process and how emissions will be contained or mitigated.

3. An analysis of traffic impacts associated with the proposed light industrial use. The project shall demonstrate how traffic circulation would not conflict with that of existing or future retail commercial uses on the site.
4. An analysis of parking lot impacts, demonstrating that industrial use parking needs will not conflict with, nor consume area needed for, that of existing or future retail commercial uses on the site.
5. A list of chemicals to be used for manufacturing/industrial processes, and identification of potential impacts associated with the use of the chemicals. All industrial uses shall comply with Chapter XV of the Land Use and Development Code for the handling and storage of hazardous materials. A copy of the list of chemicals and/or hazardous materials to be used or stored on site shall be provided to the Fire Agency with jurisdiction for the subject property.
6. An analysis of exterior noise levels associated with the project operations. No industrial use shall generate noise levels that are detectable outside the building that exceed the noise standards for the Commercial designation, as established by Nevada County General Plan Policy 9.1.
7. An analysis of existing and potential public services for the proposed light industrial use.

In addition to the findings required by Section L-II 5.6, the conditional use permit, if approved, shall include the following findings:

- a. That the proposed use will not generate impacts greater than or different from, the listed allowable uses in the subject district; and
- b. That the proposed use will not affect the viability of the site to be developed for its primary commercial use.

**Table L-II 2.4.D
Commercial Districts Allowable Uses and Permit Requirements**

Key to Land Use Permit Requirements:

- A** Allowed subject to zoning compliance and building permit issuance
- DP** Development Permit required per Section 5.5
- UP** Use Permit required per Section 5.6
- NP** Not Permitted
- NA** Not Applicable
- Varies** Refer to listed L-II Section for allowable uses and permit requirements

ALLOWABLE LAND USES (See Section L-II 1.4.D for Similar Uses)	C1	C2	C3	CH	OP	L-II Sections
Residential Uses						
Community Care Facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities.	UP	UP	NP	NP	UP	
Community Care Facilities for more than 6 people including, but not limited to, residential care and social rehabilitation facilities, and alcoholism and drug abuse recovery or treatment facilities. Such facilities shall be self-contained and provide on-site educational facilities.	UP	UP	NP	NP	UP	
Community meeting facilities	UP	UP	UP	NP	UP	3.7
Day Care Center (more than 14 children)	DP	DP	NP	NP	NP	

ALLOWABLE LAND USES (See Section L-II 1.4.D for Similar Uses)	C1	C2	C3	CH	OP	L-II Sections
Dwelling units as a part of a mixed-use development where residential is not the primary use, not to exceed 4 units per acre. Integral shall mean that all uses are designed and located so as to be visually and functionally related.	Varies	UP	UP	Varies	Varies	2.7.10
Dwelling, Single Room Occupancy (SRO)	UP	UP	NP	NP	NP	3.17.1
Home Businesses, limited	Varies	NA	NA	NA	Varies	3.11
Emergency Shelter Housing (6 or fewer people)	A	A	NP	A	A	
Emergency Shelter or Transitional/Supportive Housing ⁽¹⁾	UP	A	UP	UP	UP	
Temporary use of a mobilehome or an RV during dwelling construction where there is a valid building permit for a dwelling.	A	A	A	A	A	3.15
Commercial Uses						
Auditoriums	NP	UP	UP	NP	NP	
Auto and truck rental and leasing	NP	UP	DP	UP	NP	
Auto repair within an enclosed structure	UP	DP	DP	DP	NP	
Auto, truck, boat, motorcycle sales, including outdoor sales	NP	DP	DP	NP	NP	
Bars	UP	UP	NP	UP	NP	
Building Supply sales and storage	NP	DP	DP	NP	NP	
Car wash, automatic or self service	UP	DP	DP	DP	NP	
Cemetery	UP	DP	NP	NP	UP	
Commercial activities that normally require extensive storage areas including but not limited to, lumberyards, contractors' equipment yards, vehicle storage yards, and sales and storage of fuel.	NP	NP	UP	NP	NP	
Community meeting and social event facilities	UP	UP	UP	NP	UP	3.7
Equipment rental and leasing	NP	UP	DP	NP	NP	
Fitness centers	UP	DP	DP	NP	UP	
Flea markets, permanent	UP	UP	UP	UP	NP	3.23
Funeral home, mortuary	UP	DP	DP	NP	UP	
Hospitals and Convalescent Homes	NP	UP	NP	NP	UP	
Hotel, motels	UP	DP	DP	DP	UP	
Kennels, commercial	NP	UP	UP	NP	NP	
Medical support services (i.e. ambulance services, laboratories)	DP	DP	NP	DP	DP	
Movie theaters	UP	DP	DP	NP	NP	
Commercial Uses (cont'd)						
Movie theaters, drive-in	NP	NP	NP	UP	NP	
Museum	NP	DP	NP	DP	UP	
Nursery, retail plant	DP	DP	DP	NP	NP	
Offices and services, including, but not limited to, financial institutions, insurance, and real estate office, business services such as duplicating, mailing, blueprinting, photocopying, and stenographic services, janitorial services, employment agencies	DP	DP	DP	NP	DP	
Parking facilities not attached to a specific use.	Varies	UP	UP	Varies	Varies	2.7.10

ALLOWABLE LAND USES (See Section L-II 1.4.D for Similar Uses)	C1	C2	C3	CH	OP	L-II Sections
Personal mini-storage buildings for storage of household or personal goods (does not include the conduct of business from a storage building).	UP	UP	UP	NP	NP	
Personal services including, but not limited to, barber and beauty shops, laundromats, dry cleaners, photography studios, locksmiths, repair of consumer products, and taxidermies.	DP	DP	DP	DP	NP	
Recreation facilities, including, but not limited to, video arcades, bowling alleys, skating rinks, pool halls, miniature golf, skateboard or BMX facilities, racquetball and tennis clubs.	UP	DP	DP	DP	NP	
Restaurants, fast food	UP	DP	NP	DP	NP	
Restaurants, not including fast food	DP	DP	NP	DP	NP	
Retail sales conducted indoors.	DP	DP	DP	DP	NP	
Retail sales including outdoor sales or storage.	UP	DP	DP	DP	NP	
Service stations	DP	DP	DP	DP	NP	
Shooting ranges, indoor	NP	UP	UP	NP	NP	
Temporary Commercial Uses	A	A	A	A	NP	3.23
Veterinary hospitals and clinics	UP	UP	UP	NP	NP	
Medical Marijuana Dispensary	NP	NP	NP	NP	NP	
Commercial Cannabis Cultivation	NP	NP	NP	NP	NP	3.30
Industrial Uses						
Auto painting and bodywork within an enclosed structure.	NP	UP	UP	NP	NP	
Hazardous waste management facilities for waste produced on-site.	A	A	A	A	A	
Recycling collection facilities	DP	DP	DP	DP	NP	
Limited light industrial uses	UP	UP	UP	NP	NP	
Agricultural, Resource, and Open Space Uses						
Field Retail Stand	NP	NP	NP	NP	NP	3.3
Farm Stand	DP	DP	DP	DP	DP	3.3
Certified Farmers' Market	DP	DP	DP	DP	DP	3.3
Crop and Tree Farming	A	A	A	A	A	3.3
Mining, Mineral Exploration	Varies	Varies	Varies	Varies	Varies	3.22.D.2
Mining, Subsurface	UP	UP	UP	UP	UP	3.21
Mining, Surface vent and escape shafts (subsurface mining)	UP	UP	UP	UP	UP	3.22
Pre-Grading not associated with a specific development project	DP	DP	DP	NP	NP	3.28
Institutional and Public Uses						
Antennae, minor and certain non-commercial	A	A	A	A	A	3.8
Churches	UP	UP	UP	NP	UP	3.7
Communication Towers	UP	UP	UP	UP	UP	3.8
Emergency services (including fire and ambulance stations)	UP	DP	DP	DP	UP	
Public Utility Uses and Structures	Varies	Varies	Varies	Varies	Varies	3.14
Schools and Schools, trade	UP	UP	UP	NP	UP	
Temporary Staging Areas for public road projects	UP	UP	UP	UP	UP	

ALLOWABLE LAND USES (See Section L-II 1.4.D for Similar Uses)	C1	C2	C3	CH	OP	L-II Sections
Recreational Uses						
Campgrounds (including recreational vehicle parks) at a density not to exceed 10 sites per acre.	NP	NP	NP	UP	NP	
Trails, Pedestrian and Equestrian	DP	DP	DP	DP	DP	4.1.8

Footnote:

(1) Subject to Government Code Sections 65582, 65583 and 65589.5, as may be amended.

(Ord. 2467, 5/14/19)

**Table L-II 2.4.E
Commercial Districts Site Development Standards**

Key to Site Development Standards:

- ROW** Right-of-way, Ultimate (see definition in Article 6)
- C/L** Centerline
- L-II SECTION** Refer to listed L-II Section for site development standards

SITE DEVELOPMENT STANDARDS	C1	C2	C3	CH	OP	L-II Sections
Setback Standards ^{(1) (3)}						
Front yard (ROW at least 50' in width) ⁽⁴⁾	10' from ROW (with mean average 20')					4.2.5.E
Front yard (ROW less than 50' in width) ⁽⁴⁾	35' from ROW C/L (with mean average 45')					4.2.5.E
Exterior yard (ROW at least 50' in width)	10' from ROW (with mean average 20')					4.2.5
Exterior yard (ROW less than 50' in width)	35' from ROW C/L (with mean average 45')					4.2.5
Interior yard	0'					4.2.5
Rear yard	0' (Through Parcels: Rear = Front setback)					4.2.5
Other Standards (See Sections 4.2 Design Standards & 4.3 Resource Standards)						
Building Height Limit	C2 & CH Districts = 45'					4.2.4
Building Height Limit	C1, C3, & OP Districts = 45' or 3 stories, whichever is less					4.2.4
Fencing & Hedges	Table 4.2.6.D					4.2.6
Maximum Impervious Surface	85%			60%		4.2.10
On-Site Parking	Table 4.2.9.F.12.b					4.2.9
Signs	Sign Standards see Section 4.2.12.K					4.2.12
Minimum Road Frontage ⁽²⁾	150'			70'		
Minimum Parcel Size ⁽²⁾	15,000 s.f.				7,000 s.f.	4.1.3.E.4.c

Footnotes:

- (1) Setbacks for residential units may be reduced on parcels less than 3 acres subject to Section L-II 4.2.5.G.
- (2) The minimum parcel size and road frontage required for subdivisions and boundary line adjustments is that shown on the table. Where clustering or a Planned Development is utilized, minimum parcel size and road frontage can vary if adequate provisions are made for the appropriation of water and disposal of sewage consistent with this Code and the protection of public health, safety and welfare. (See Section L-II 4.1.5.)

- (3) For arterial and collector roads, the front yard and exterior side yard setbacks shall be 10' from the existing or ultimate right-of-way, whichever is greater, with a mean average of 20'. (See Section L-II 4.2.5.F.)
- (4) Significant landscaping shall be incorporated into this setback.

(Ord. 2441, Adopt. 9/12/17, Eff. 10/12/17; Ord. 2427, 1/24/17; Ord. 2366, 8/13/13; Ord. 2339, 07/12/11; Ord. 2253, 10/23/07; Ord. 2090, 7/9/02; Ord. 2037, 10/3/00)

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