

**REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE**  
**Agenda of January 12, 2016**



Prepared by:  
Gary Hoving, Director of Public Safety



Approved by:  
Andrew Carter, City Administrator

**SUBJECT:**            **Approval to Submit a Grant Application to the Federal Emergency Management Administration for Funding to Replace a Fire Engine**

**RECOMMENDATION:**

It is recommended that the City Council provide approval for City staff to submit a grant application to the Federal Emergency Management Administration to fund a fire engine for the Fire Department.

**BACKGROUND:**

The Federal Emergency Management Administration (FEMA) hosts an annual grant to fund fire engines through their Assistance to Firefighters Grant (AFG) program.

**DISCUSSION:**

City staff is seeking City Council approval to submit a grant application to FEMA for the replacement of the secondary response fire engine owned by the city.

The proposed grant funding would replace the backup engine that was received through surplus from the Santa Maria Fire Department. Such a funding opportunity would allow us to maintain two fully serviceable first response fire engines and surplus our oldest.

If funded, the new engine would be assigned as the primary response vehicle with many enhanced capabilities including firefighting foam. The current primary engine would then be utilized as the secondary or back up rig. Such a plan would result in an improved response to fires and rescues by the City with two engines of modern design and proper accommodations for the safety of the firefighters. Such an increase in capability is rather timely with the planned growth of the City.

This funding source does have a 5% local contribution. However, considering the enhanced response capabilities at a minimal impact upon the general fund, this is a fortunate opportunity for the public safety of the City. The cost for a replacement engine is \$603,998.

This grant was submitted prior to receiving approval by City Council due to a short deadline for submission. By submitting the application prior to approval, the City is under no obligation to accept the grant and may withdraw our application from consideration.

**FISCAL IMPACT**

The cost for the proposed fire engine is \$603,998. According to the terms of the grant, a 5% local funding contribution is required amounting to \$30,200. The local contribution will be sought through the FY 2014/2015 budget cycle and/or funded through Proposition 172 funds. Upon award of the grant, the City would realize a savings from general fund expenses through the cost avoidance of the purchase of a major piece of firefighting equipment and would realized a reduced maintenance liability.

**Gary L. Hoving**  
Director of Public Safety



## AGENDA REPORT

7a.

---

### SUBJECT/TITLE:

**PROHIBITION OF MEDICAL MARIJUANA CULTIVATION, PROCESSING AND TRANSPORT WITHIN THE CITY**

---

### RECOMMENDATION:

**INTRODUCE BY TITLE ONLY AND WAIVE FIRST READING OF ORDINANCE NO. 2016 - 440, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE ADDING CHAPTER 18.74 TO THE GUADALUPE MUNICIPAL CODE PROHIBITING THE CULTIVATION, PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA**

---

### EXECUTIVE SUMMARY:

As noted by staff at the November 10, 2015 City Council meeting, Governor Brown signed three bills, collectively referred to as the Medical Marijuana Regulation and Safety Act to provide for the licensure and regulation of medical marijuana. This act still provides opportunities, however, for local governments to regulate medical marijuana cultivation, processing, distribution and transport. On November 10, the City Council adopted a resolution of intent to adopt an ordinance governing medical marijuana cultivation, processing and transportation. At its December 8 meeting, the City Council directed staff to return to Council with an ordinance prohibiting the cultivation, processing and transportation of medical marijuana within the City. The attached ordinance is presented to Council pursuant to that direction.

As previously noted on November 10, the proposed ordinance initially bans both cultivation of medical marijuana, and the establishment of medical marijuana dispensaries, whether brick-and-mortar, or mobile delivery services. The ordinance also contains provisions, however, that implement stringent regulations regarding cultivation and dispensaries should the bans on cultivation and dispensaries be successfully challenged in court. Under AB 243, if the city does not have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or chooses not to administer a conditional permit program, then beginning on March 1, 2016, the California Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applicants within the City. This is the primary reason why it is essential that the Council take some form of action to either prohibit or regulate cultivation operations within the City.

One additional issue is important to note. In Kirby v. County of Fresno, Case No. F070056, 12/1/2015, the Fifth District Court of Appeal held that Fresno County's ban on cultivation adopted under the County's authority to regulate land use did not conflict with the Compassionate Use Act, which does not *expressly* restrict local government's authority over land use. The total cultivation ban, therefore, was acceptable to that court. In that case,

however, the court held that the County could not *criminalize* cultivation of medical marijuana since this activity was already regulated by state law. Therefore, the proposed ordinance before Council tonight contains administrative penalties, rather than criminal penalties, for violation of the ordinance.

---

**FISCAL IMPACT: Possible enforcement costs for illegally established medical marijuana cultivation sites and dispensaries should ordinance be adopted.**

---

**ATTACHMENTS:**

- 1. Proposed Ordinance**

---

Prepared by: David Fleishman, City Attorney

Meeting Date: 12 January 2016

City Administrator Approval:           AFC

## ORDINANCE NO. 2016-440

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE ADDING CHAPTER 18.74 TO THE GUADALUPE MUNICIPAL CODE PROHIBITING THE CULTIVATION, PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA

The City Council of the City of Guadalupe does ordain as follows:

**SECTION 1.** A new chapter 18.74 is added to the Guadalupe Municipal Code to read as follows:

#### **18.74.010 Findings and Purpose**

A. The City Council finds that the cultivation of medical marijuana significantly impacts, or has the potential to significantly impact, the health, safety and welfare of the City's residents and businesses. These impacts include damage to buildings in which cultivation occurs, including improper and dangerous electrical alterations and use, inadequate ventilation, increased occurrences of home-invasion robberies and similar crimes and nuisance impacts to neighboring properties from the strong and potentially noxious odors from the plants and increased crime.

B. The City Council acknowledges that the Compassionate Use Act (CUA), passed in 1996 by the voters of the State of California, provides a criminal defense to the cultivation, possession and use of marijuana for medical purposes. However, the Compassionate Use Act (CUA) does not address the land use or other impacts that are caused by the cultivation of medical marijuana.

C. The City Council wishes to adopt rules consistent with the CUA, the Medical Marijuana Program Act (MMPA), and the Medical Marijuana Regulation and Safety Act (MMRSA) to regulate medical marijuana in a manner that protects the public health, safety and welfare of the residents, visitors and business operators in the City of Guadalupe and prevents adverse impacts that such activities may have on nearby properties and residents, without interfering with the rights of qualified patients and their primary caregivers to possess or cultivate medical marijuana pursuant to state law.

D. The CUA is limited in scope, in that it only provides a defense from criminal prosecution for possession and cultivation of marijuana to qualified patients and their primary caregivers. The scope of the MMPA is also limited in that it establishes a statewide identification program and affords qualified patients, persons with identification cards and their primary caregivers, an affirmative defense to certain enumerated criminal sanctions that would otherwise apply to transporting, processing, administering or distributing marijuana. The MMRSA establishes additional regulations regarding the cultivation, processing and transport of medical marijuana, but it allows for additional local regulation.

E. Facilities dispensing marijuana for medicinal purposes are commonly referred to as medical marijuana dispensaries, medical marijuana cooperatives or medical marijuana collectives. The City Council has previously prohibited the establishment of these operations within the City.

F. The CUA, MMPA and MMRSA do not require or impose an affirmative duty or mandate upon local governments, such as the City of Guadalupe, to allow, authorize or sanction the establishment and the operation and establishment of facilities dispensing medical marijuana within their jurisdiction.

G. Neither the CUA nor the MMPA abrogate the City's powers to regulate for public health, safety and welfare. Health and Safety Code 11362.5(b)(2) provides that the Act does not supersede any legislation intended to prohibit conduct that endangers others. In addition, Health and Safety Code 11362.83 authorizes cities and counties to adopt and enforce rules and regulations consistent with the MMPA. The MMRSA provides that nothing in that act shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements.

H. Marijuana remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, et seq. and is classified as a "Schedule I Drug" which is defined as a drug or other substance that has a high potential for abuse, that is no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for its use under medical supervision. Furthermore, the Federal Controlled Substances Act makes it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense marijuana. The Controlled Substances Act contains no statutory exemption for the possession of marijuana for medical purposes. The City does not wish to be in violation of federal law.

I. Pursuant to the City of Guadalupe's police powers authorized in Article XI, Section 7 of the California Constitution, as well as under the City of Guadalupe Municipal Code, the City has the power to regulate permissible land uses throughout the City and to enact regulations for the preservation of public health, safety and welfare of its residents and community. Pursuant to Government Code 38771 the City Council also has the power by ordinance to declare actions and activities that constitute a public nuisance.

K. The City Council finds that the CUA, MMPA and MMRSA do not preempt the City's exercise of its traditional police powers in enacting land use and zoning regulations, as well as legislation for preservation of public health, safety and welfare, such as this zoning ordinance prohibiting the establishment and operation of medical marijuana cooperatives and collectives and cultivation operation within the City.

L. The City Council finds that the public health, safety and general welfare of the City and its residents necessitate and require the adoption of this zoning ordinance.

#### **18.74.020 Applicability**

A. Nothing in this chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution under the CUA.

B. Nothing in this chapter is intended, nor shall it be construed, to make legal any cultivation, sale or other use of medical marijuana that is otherwise prohibited under California law.

C. Nothing in this chapter is intended, nor shall it be construed, to preclude any landlord from limiting or prohibiting medical marijuana cultivation by tenants.

D. Nothing in this chapter is intended, nor shall it be construed, to exempt any activity related to the cultivation of medical marijuana from any applicable electrical, plumbing, land use or other building or land use standards or permitting requirements.

E. All cultivation and sale of medical marijuana within the City shall be subject to the provisions of this chapter.

F. Any medical marijuana cultivation that legally occurred prior to the effective date of this ordinance does not have nonconforming rights provided in chapter 18.68.

### **18.74.030 Definitions**

The following definitions apply to this chapter:

A. Fully enclosed and secure structure: A space within a building that complies with the California Building Code, as adopted in the City of Guadalupe, or, if exempt from permit requirements, that has a complete roof enclosure supported by connecting walls extended from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors and accessible only to a primary caregiver or a qualified patient. Walls and roofs must be constructed of solid materials that cannot be easily broken through such as two inch by four inch or thicker studs overlaid with 3/8" or thicker plywood or the equivalent. Plastic sheeting regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California Building, Electrical and Fire Codes as adopted in the City of Guadalupe.

B. Medical marijuana: Marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

C. Medical marijuana dispensary: A collective, cooperative, dispensary, operator, establishment, provider, association or similar entity that cultivates, distributes, delivers or processes marijuana for medical purposes relating to a qualified patient or primary caregiver, pursuant to the Compassionate Use Act, Medical Marijuana Program Act and/or Medical Marijuana Regulation and Safety Act. Included within the definition of medical marijuana dispensary are facilities in a fixed location, and transportation or delivery services conducted from a non-fixed location or vehicle.

D. Marijuana cultivation: The planting, growing, harvesting drying or processing of marijuana plants or any part thereof.

E. Primary Caregiver: A primary caregiver as defined in Health and Safety Code section 11362.7.

F. Qualified patient: A qualified patient as defined in Health and Safety Code section 11362.7.

### **18.74.040 Prohibition of Marijuana Cultivation**

Marijuana cultivation by any person, including primary caregivers and qualified patients, or dispensaries, is prohibited in all zone districts within the City of Guadalupe.

#### **18.74.050 Separation of Section 18.74.040**

If Section 18.74.040, or any subsection, sentence, clause, phrase or portion of Section 18.74.040 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section 18.74.060 shall apply in lieu of Section 18.74.040.

#### **18.74.060 Cultivation in Residential Zone Districts for Personal Use**

It is unlawful to cultivate medical marijuana in any residential zone district within the city, unless a zoning clearance under this title is first secured and all of the following criteria are met:

A. Indoor cultivation: Medical marijuana may be cultivated only in a fully enclosed and secure structure by a qualified patient or primary caregiver in a residential zone district if a zoning clearance is first secured and all of the following criteria are met:

1. The applicant must reside on the property and be either a qualified patient or primary caregiver.
  2. The owner of the property, if other than the applicant, has consented in writing to the cultivation of marijuana on the property.
  3. If the marijuana cultivation occurs within a residential accessory building or a garage, the location of the marijuana plants shall be at least 15 feet from any habitable structure on any adjacent property.
  4. The location of the plants shall be at least 600 feet from any school property. The distance shall be measured in a straight line, without regard to intervening structures, from the closest property line of the property on which the marijuana is grown and the school property. The existence of city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this paragraph.
  5. The area where marijuana is grown shall not exceed 50 square feet of floor area, regardless of how many qualified patients or primary caregivers live on the property.
  6. The marijuana cultivation shall not be visible from any public or other private property.
  7. The cultivation of marijuana shall not take place in the kitchen, bathrooms or occupied bedrooms of the residence.
  8. The lighting used for cultivation shall not exceed a cumulative total of 1,200 watts, regardless of the type or number of lighting fixtures.
  9. The use of flammable or combustible products, including but not limited to, propane and butane, for cultivation and/or processing is prohibited.
- C. All medical marijuana cultivated pursuant to this section shall be for the personal use only of a qualified patient residing on the property and may not be distributed to any other person or medical marijuana dispensary.



D. The cultivation of medical marijuana shall not be an allowed home occupation.

E. Cultivation of marijuana in any other zone district other than those listed in this section is prohibited.

#### **18.74.070 Medical Marijuana Dispensaries**

Medical marijuana dispensaries are not permitted in any zone district within the City of Guadalupe.

#### **18.74.080 Separation of Section 18.74.070**

If Section 18.74.070, or any subsection, sentence, clause, phrase or portion of Section 18.74.070 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section 18.74.090 shall apply in lieu of Section 18.74.070.

#### **18.74.090 Medical Marijuana Dispensary**

A. Purpose: To establish a comprehensive set of regulations applicable to the operation of medical marijuana dispensaries within the City to insure such operation in a manner consistent with the overall health, welfare and safety of the City and its populace and in compliance with the California Compassionate Use Act, the Medical Marijuana Program Act, and the Medical Marijuana Regulation and Safety Act.

B. Allowed zone districts: Medical marijuana dispensaries are allowed in the General-Industrial (G-I) Zone District, subject to an approved use permit in compliance with Chapter 18.72, and provided that all of the criteria provided below can be satisfied.

1. The site is not within 600 feet of any public or private school for grades kindergarten through 12th, any preschool or licensed childcare facility.

2. The site is not within 300 feet of any residential use, residential area or residential zone.

3. The site is not within 600 feet of any park, library or recreational area commonly used by minor children.

All required minimum distances set forth in this subsection shall be measured from the nearest property line of one designated location to the nearest property line of the other designated location along a straight line extended between the two points without regard to intervening structures.

C. Needed information: In addition to the information required by the City for any potential use permit application or any potential business license application, persons or entities making such application(s) for the establishment of a medical marijuana dispensary shall also provide the following information with the application(s).

1. The application must be signed by the owner, lessee or agent who is applying for the use permit or business license and the owner, lessee or agent shall specifically identify the individuals who will be conducting the business of the medical marijuana dispensary

for the premises for which the permit or license is sought. In the case of a lessee of a property applying for a permit pursuant to this chapter, the property owner shall acknowledge on the application consent to the application for a use permit for a medical marijuana dispensary.

2. The application shall list the legal form of the applicant, e.g., individual, partnership, corporation.

a. If the applicant is an individual, the application shall list his or her legal name, any aliases and date of birth;

b. If the applicant is a partnership, the application shall list the full and complete name of the partnership, the legal names and addresses of all partners, dates of birth, all aliases used by all of the general partners and whether the partnership is general or limited; and

c. If the applicant is a corporation, the applicant shall list the full and complete corporate name, the date and status of its incorporation, evidence that the corporation is in good standing, the legal names and dates of birth and aliases used and the capacity of all officers, directors and principal stockholders (i.e., all stockholders with 10 percent or more of all outstanding shares, and the name and addresses of the registered officers for service of process.

3. The application must list whether, preceding the date of the application, the applicant or any individuals listed pursuant to subsection C.2. of this section has:

a. In the three years prior to the year of the permit application, other licenses and/or permits issued to and/or revoked, relating to similar business activities as in the permit application. If the application lists such other licenses and/or permits, the list shall include the type, current status and issuing agency for each permit;

b. Been a partner in a partnership or an officer, director or principal stockholder of a corporation which has had any other licenses and/or permits, relating to similar business activities as in the permit application, issued to and/or revoked in the three years prior to the year of the permit application. The type, current status, and issuing agency for each previously issued or revoked licenses and/or permits shall be listed on the application;

c. Within the four years preceding the date of the application, been found guilty of or pleaded nolo contendere to a misdemeanor or a felony offense classified by the State of California as a drug or drug-related offense.

D. Restrictions on use: The following restrictions/regulations/conditions shall apply to the operation of all medical marijuana dispensaries:

1. Hours of operation: Medical marijuana dispensaries shall be restricted to hours of operation between 8 a.m. and 6 p.m.

2. Conviction of Crimes: No operator and/or employee of a medical marijuana dispensary shall have been convicted of any felony under any state or federal law, convicted of a crime in any other jurisdiction the commission of which would be a felony under California law, nor convicted of any crime of moral turpitude. All operators and/or employees of a medical marijuana dispensary shall be subject to verification of the

absence of any disqualifying conviction under this subsection prior to commencement of any such operation and/or employment and annually thereafter, pursuant to reasonable regulations pertaining thereto as established and promulgated by the Chief of Police.

3. Security system: Medical marijuana dispensaries shall be equipped with, and the operators of such operations shall maintain in working order at all times burglary/robbery alarms in a manner compliant with the provisions of this code.

4. Security Guard: During all hours of operation there shall be, for each 1,000 square feet of occupied building space, or portion thereof, at least one licensed, uniformed security guard present and visible on the premises, i.e., one guard for zero to and including 1,000 square feet, two guards for 1,001 to and including 2,000 square feet, etc.

a. Such guards(s) shall be duly licensed by the State of California, Department of Consumer Affairs in a manner compliant with all applicable state and local laws. In particular, all security officers shall comply with the provisions of California Business and Professions Code Section 7582, et seq.

b. The presence and licensing of such guards shall be subject to proof thereof by operator(s), employee(s) or security guard(s) of such dispensary at all required times, upon reasonable demand by any city, state or federal police officer.

5. Use on premises: Use or consumption of marijuana in any manner is not permitted on premises of any medical marijuana dispensary at any time.

6. Drug paraphernalia: No medical marijuana dispensary may sell or display any drug paraphernalia on the premises at any time, including but not limited to water pipes (bongs), everyday items with special removable tops that have been converted to conceal narcotics and drugs, including but not limited to beer cans, oil cans and plastic photograph film vials, roach clips (for holding marijuana cigarettes), cigarette paper or filters.

7. Minors: Persons under the age of 18 years of age are not permitted to be on the premises of any medical marijuana dispensary at any time.

8. Alcohol: No alcoholic beverage shall be sold, conveyed or consumed on the premises of any medical marijuana dispensary at any time.

9. Under the influence: No person shall be present on the premises of a medical marijuana dispensary while intoxicated and/or under the influence of alcohol or any controlled substance at any time, as defined in California Health and Safety Code Section 11007.

10. Unobstructed view: The interior of the dispensary shall be configured such that there is an unobstructed view by a manager, by use of the naked eye, and unaided by video, closed circuit cameras or any other means, of every public area of the premises. No public area shall be obscured by any door, curtain wall, two-way mirror or other device. A manager shall be in the public portion of the dispensary at all times it is in operation or open to the public in order to enforce all rules and regulations.

11. Exterior painting: Buildings and structures shall not be painted or surfaced with any design that would simulate a sign or advertising message and cannot be established or maintained such that the exterior appearance of the structure is substantially inconsistent with the external appearance of abutting properties.

12. Displays: Advertisements, displays of merchandise, signs or any other exhibit depicting activities of the dispensary placed within the interior of buildings of premises shall be arranged or screened to prevent public viewing from outside such building or premises. Neon or light-emitting diode (LED) signage shall not be used.

13. Loudspeakers: Outdoor loudspeakers or other outdoor sound equipment advertising or directing attention to a dispensary, including but not limited to prerecorded or live music or sounds, are prohibited.

14. Graffiti: Upon order of the Chief of Police or his/her designee, graffiti appearing on any exterior surface of a building or premises of a dispensary, which graffiti is in public view, shall be removed and that surface shall be restored within 48 hours of notification to the owner or person in charge of the premises or as may be specified in other ordinances of the City regulating graffiti removal.

15. Security cameras: The operator of the medical marijuana dispensary shall be responsible for insuring that a video surveillance system on the premises complies with the following standards:

a. Visually records and monitors all parking lot areas, rear alley areas immediately adjacent to the dispensary, the main building entrance(s) and exit(s), and any and all transaction areas for the dispensing of medical marijuana. The operator of the dispensary or his/her designated representative shall instruct the company or individual(s) installing the surveillance equipment at the dispensary to position cameras to maximize the quality of facial and body images and avoid backlighting and physical obstructions. The company or individual(s) installing the surveillance equipment for any medical marijuana dispensary shall be responsible for reasonable compliance with those instructions in installing such equipment at the dispensary.

b. Cameras shall have a minimum resolution of 500 lines per inch and a minimum light factor requirement of 0.7 lux. Light-sensitive lenses or the installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image.

c. The recording device shall be a time-lapse or continuous recorder that displays a current date and time stamp on the recording. Systems required to have more than one camera shall include a "quad" or "multiplexer" video display splitter. The recording equipment and all recordings kept in compliance with this section shall be secured in a locked area in which access is limited to the dispensary operator, the permit holder, and/or his/her designated representative(s).

d. A display monitor with a minimum screen size of 19 inches shall be connected to the video surveillance system at all times. If a "quad" video display splitter is utilized, the display monitor shall have a minimum screen size of 27 inches.

e. Video surveillance systems shall be maintained in good working order at all times. The owner of the dispensary shall instruct each employee, volunteer, agent,

servant or other individual overseeing the functioning of the video system, to immediately report any malfunctioning of or technical problems whatsoever with surveillance equipment. Every three months, the operator of the dispensary or his/her designated representative shall inspect all cameras and video recorders to ensure proper operation and shall perform the following functions: the camera lenses shall be cleaned and the date and time stamp shall be calibrated to reflect true information; all wires connected to the camera and video recording device shall be inspected for wear and tear; and, a test recording shall be done to verify image quality and the date and time stamp. The operator of the dispensary or his/her designated representative shall keep a video surveillance maintenance log documenting all inspections and repairs to the system. Any technical problems or inoperable equipment shall be repaired as soon as possible, not to exceed 10 calendar days from the discovery of the problem. The video surveillance system and maintenance log shall be subject to periodic inspection upon request by the Police Department during the dispensary's operating hours, in order to ensure compliance with this section.

f. The video surveillance system and recording device shall be in continuous operation from one full hour before to one full hour after the dispensary is open to the public, or any portion thereof. Recordings of daily operations shall be kept a minimum of 30 days prior to reuse or destruction of such recordings, and the recordings shall be provided to the Police Department upon request.

#### 16. Lighting

a. Interior: The premises within which the dispensary is operated shall be equipped with and, at all times during which the dispensary is open to the public or any portion thereof, shall remain illuminated with overhead lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than two foot-candles as measured at the floor level.

b. Exterior: The exterior of the premises upon which the dispensary is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than one-foot candle as measured at the ground level, including, but not limited to, landscape areas, parking lots, driveways, walkways, entry areas and refuse storage areas.

17. Change of ownership: If a dispensary operating with a permit pursuant to this chapter changes ownership, the current owner or operator shall notify the Chief of Police of the new owner's name and address not later than 10 calendar days after the effective date of such change of ownership.

18. Manager on premises: All dispensaries shall have a responsible person who shall be at least 21 years of age and who shall be on the premises to act as manager at all times during which the dispensary is open to the public or any portion thereof. The individual designated as the on-site manager shall be registered with the Police Department by the owner to receive all complaints and be responsible for all violations taking place on the premises.

19. Records and inspection: All dispensaries shall maintain sufficiently detailed written records regarding their verification that medical marijuana is dispensed only to qualified patients and primary caregivers under the California Compassionate Use Act, Health and Safety Code Section 11362.5 et. seq. These written records are subject to periodic inspection upon request by the Police Department, in order to ensure compliance with this section.

20. Other conditions: The City Council may add any conditions to the granting of a permit pursuant to this chapter, should the particular facts and/or circumstances of a proposed use so justify.

E. Operator Responsible: The operator(s) of any medical marijuana dispensary is responsible for insuring at all times that employees, volunteers, agents or any other individuals having any charge over the functioning of the dispensary are acting in compliance with the provisions of this chapter.

F. Other regulations: The provisions of this section do not waive or modify any other provisions of this code with which medical marijuana dispensaries are required to comply. Nothing in this section is intended to authorize, legalize or permit the establishment, operation or maintenance of any facility, building or use which violates any City of Guadalupe ordinance or California statute regarding public nuisances, medical marijuana or any federal regulations or statutes relating to the use of controlled substances.

G. Prohibited in other zone districts: Medical marijuana dispensaries are prohibited in any other zone district other than those listed in this section. Medical marijuana dispensaries consisting of delivery services conducted from a non-fixed location or vehicle are prohibited in all zones of the City.

#### **18.74.100 Nuisance and Civil Penalties**

Any cultivation, processing or distribution of medical marijuana which takes place in violation of any provision of this chapter is unlawful, and is hereby declared a public nuisance and is subject to administrative penalties pursuant to chapters 1.10 and 1.11, in addition to any other remedies available to the city.

### **SECTION 2.**

This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state or federal law, including, without limitation, the Constitution of the State of California or of the United States of America. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid, the validity of the remainder of this ordinance and its sections, subsections and clauses shall not be affected.

### **SECTION 3.**

This ordinance shall become effective on the thirtieth day following passage and adoption hereof.

**SECTION 4.**

Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City.

INTRODUCED at a regular meeting of the City Council held this 12th day of January, 2016 on motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and on the following roll call vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

PASSED AND ADOPTED at a regular meeting of the City Council held this 26<sup>th</sup> day of January, 2016 on motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and on the following roll call vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF GUADALUPE

BY: \_\_\_\_\_  
John Lizalde, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
David M. Fleishman, City Attorney

**REPORT TO CITY COUNCIL**  
**Council Agenda of 01-12-16**

Anc

Andrew Carter, City Administrator

**SUBJECT** Economic Development and Commercial & Industrial Zoning

**RECOMMENDATION**

- 1) Discuss topic
- 2) Create Advisory Committee.
- 3) Give direction to staff regarding evaluation of the City's Commercial & Industrial zoning regulations

**DISCUSSION**

With the consent of Council, Councilmember Julian added this topic to tonight's agenda. His interest and that of the entire Council is to determine ways to facilitate economic development in Guadalupe.

Councilmember Julian would like Council to create an Advisory Body to study the issue. That body would include selected council members as well as key stakeholders in the community. Councilmember Julian would also like Council to authorize an evaluation of the City's current zoning regulations. Councilmember Julian recommends that the City use a Self-Assessment tool available from the US Environmental Protection Agency (EPA) in this process (see attached summary).

In addition to the two EPA summaries provided by Councilmember Julian, I have attached portions of the 2009 Community Plan developed by Cal Poly. I've also attached the City's current Zoning Map, a statistical Lot Summary of the City's Commercial and Industrial zones, plus background information from the City's Municipal Code on the City's Commercial and Industrial zones. That background information includes a Use Grid showing permitted and conditional uses allowed in the various Commercial and Industrial zones.

There are three Commercial and Industrial zones in use citywide. Those are:

- G-C General Commercial; downtown plus West Main Shopping Center.
- M-C Industrial Commercial; lower Guadalupe.
- G-I General Industrial; primarily east of the railroad tracks, also north of 11<sup>th</sup> Street, and some lots between Guadalupe Street and the railroad.

Two different Commercial zones are in use at Pasadera:



- C-N Neighborhood Commercial
- C-S Commercial Service

The Lot Summary helps to illustrate the typical small size of the lots in the City's Commercial zones and the relative unavailability of large-size lots. Beyond the data, however, is the fact that many of the owners of vacant and distressed commercial property in Guadalupe seem unmotivated to develop that property. Both factors limit the potential for economic growth.

The Use Grid helps to illustrate the need for a potential re-evaluation of the City's zoning code. The logic behind what is and what is not allowed in each zone is not always clear. For instance, different terms are used in different zones – as an example, “eating and entertainment establishments” in the G-C vs. “restaurants” in the M-C, and “restaurants” and “fast food places” in the G-I. There also seem to be gaps in the allowed uses – for instance, hotels and motels are only allowed in the G-C, yet a future motel would likely need its own parking and would most likely want to locate on lower Guadalupe in the M-C or on Rt. 166 (G-I on the north side of the street, C-N & C-S on the south side of the street in Pasadera).

It could be argued that the permitted and conditional uses in some zones are too restrictive. Finally, Council needs to consider what is the purpose of the G-I zone – industrial use only or industrial and commercial use. (The current code allows both.)

### **FINANCIAL IMPACT**

Should Council direct staff to begin an evaluation of the City's Commercial and Industrial zoning regulations, this will involve work by Rincon, the City's outside planning consultant. The cost of that work is currently unbudgeted and will be borne by the General Fund.

### **ATTACHMENTS**

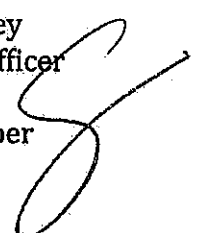
- Memo from Councilmember Julian to rest of City Council
- “Smart Growth Self-Assessment for Rural Communities” (EPA)
- “Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes” (EPA)
- Portions of 2009 Community Plan developed by Cal Poly
- Current Guadalupe Zoning Map
- Lot Summary – Guadalupe Commercial and Industrial Zones
- Commercial and Industrial Zoning Classifications in Guadalupe
- Use Grid – Permitted & Conditional Uses in Guadalupe Commercial & Industrial Zones

**TO:** Council Members, City of Guadalupe  
Andrew Carter, City Administrator  
Dave Fleishman, City Attorney  
Gary Hoving, Public Safety Officer

**FROM:** Ariston Julian, Council Member

**DATE:** January 7, 2016

**SUBJECT:** Review of City of Guadalupe Plan Findings of 2009, Cal Poly  
Discussion: Review of City of Guadalupe Zoning Codes  
Discussion: Creation of Advisory Committee to Review the Above



I appreciate the council's consensus to open for discussion, how we as city representatives and staff, can create a positive financial environment for Guadalupe. I also believe that city staff, managers, employees, as well as city residents, have assisted council members in identifying fiscal shortcomings leading to budgetary guidelines to help keep Guadalupe solvent all leading to a healthier community.

The Cal Poly Project was mentioned several months ago. When the report was submitted to the City, I believe that city council members and staff, including me, did not give adequate attention to the findings. The identified projections for our community and alignment with well thought General Plan policies, can lead to a positive future.

We have seen several projects before staff and council members, which indicates that there should be significant positive developments in the City apart from the Pasadera Project. These projects include; Possible housing complex on Pioneer Street; Cultural Center's possible expansion; Guadalupe Dunes projected partnership with the City of Guadalupe to refurbish the Royal Theater and possible use of the Far Western; new businesses openings including new pharmacy and other businesses; Beachside Cooling, etc.

All of the above is a positive sign of what may be the initial impetus to improving our down town area. I believe, however, that our current zoning, especially in and around out down town "historical" area, is far too constricting for any new development. The majority of these vacant lots where in-fill would be crucial to the health of our downtown corridor are not available for development or sale. This reality negates the type and size of businesses we could attract to Guadalupe downtown area.

In closing, I mentioned to Andrew that what I would recommend to council members that we approve two areas for further evaluation to include:

1. Creation of an advisory committee to help complete the Self-Assessment (EPA) with findings submitted to council members, city staff and city planners. I expect there will be minimal financial expenditures from the City's general fund with hopes to attract outside donations for expenses related to this function. Council members should guide how representatives to this committee are appointed, if so determined.

I would suggest we involve residents at large, business owners, Dunes Center representation, Cultural Center representation, School District representation, property owners, etc. The intent is for this group to be participatory. I would, with council and Mayor's approval, head this effort with another council member.

2. A second suggestion is for a critical evaluation of our zoning ordinances. Our ordinances should be streamlined to enhance general plan guidelines and created to enhance the development and creation of areas within the city limits where businesses and services can build/operate based on community needs.

The challenges we face as a city are many. The intention of the proposals presented are recommendations which I believe will help, in part, council members and city staff develop policies to move Guadalupe closer to our economic, social, and environmental goals.

Thank you and I am open to any and all questions, comments or concerns.

**ATTACHMENTS:**



# SMART GROWTH SELF-ASSESSMENT FOR RURAL COMMUNITIES

## Smart Growth Self-Assessment for Rural Communities

The Smart Growth Self-Assessment for Rural Communities is a compilation of strategies, organized by 11 common “goal areas,” that villages, towns, and small cities can use to evaluate their existing policies to create healthy, environmentally resilient, and economically robust places. This self-assessment was developed as part of the U.S. Environmental Protection Agency’s (EPA) Smart Growth Implementation Assistance (SGIA) project in Madison County, New York. For more information about the project, see *Smart Growth Self-Assessment for Rural Communities: Madison County, New York*, available at: <http://www2.epa.gov/smart-growth/smart-growth-self-assessment-rural-communities-madison-county>.

### What does it do?

This self-assessment helps communities identify gaps in their policies, plans, codes, and zoning regulations by asking a series of “Yes” or “No” questions. All communities begin by completing the self-assessment’s Revitalize Village and Town Centers section, which gives a baseline indication of smart growth development policies within the jurisdiction. It goes beyond regulatory issues to help communities take stock of their local initiatives, strategies, and plans. Rural

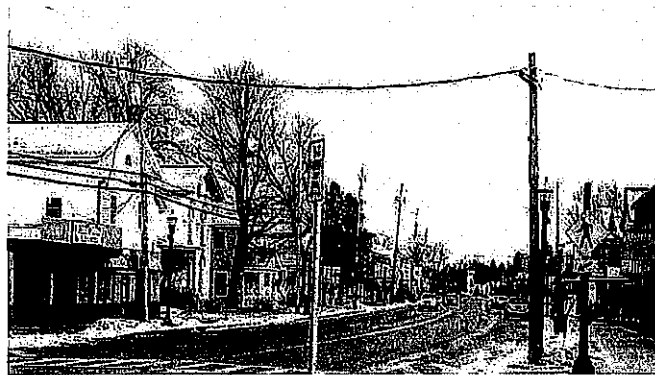


Photo credit: Renaissance Planning Group

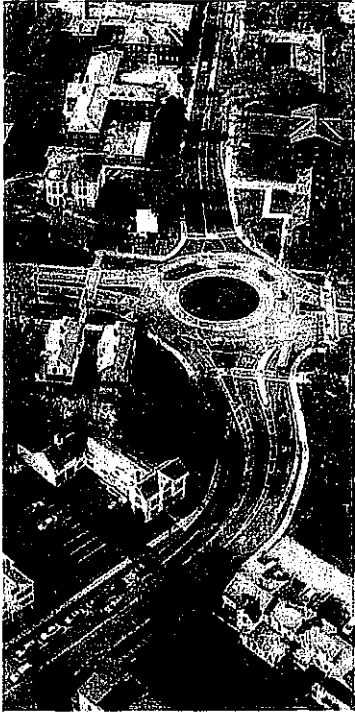
Figure 1: The main street in the town of Chittenango.

communities are not all the same, and this tool shares practices that a variety of rural places have used to improve their economies, environment, health, and quality of life. It includes resources and examples from communities around the country.

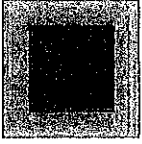
### Who should use it?

This self-assessment tool is broad and interdisciplinary. Each section focuses on a specific set of issues and will likely require input from multiple parts of the local government, as well as from community residents and other stakeholders. Although a community does not necessarily need to complete all sections of the self-assessment, this tool works best when communities use it comprehensively and a local leader facilitates the process, such as a mayor, city manager, town planner, or anyone with a broad community focus.





**Essential Smart  
Growth Fixes  
for Rural  
Planning,  
Zoning, and  
Development  
Codes**



# INTRODUCTION

Most rural communities want to maintain their rural character while also strengthening their economies. Many fast-growing rural areas are now at the edge of major metropolitan regions and face metropolitan-style development pressures. They seek to manage new growth in a way that promotes prosperity yet is sustainable over the long run. But even slow-growing or shrinking rural areas, which often suffer from faltering economies and population decline, might find that their growth management policies are not resulting in the prosperity they seek.

Fortunately, a variety of proven tools and strategies can help rural communities thoughtfully consider how and where to grow. For example, communities that want to maintain their rural character and economic vitality could decide to adopt mixed-use zoning for their Main Street buildings and commercial areas, policies to better manage stormwater runoff, and design requirements for complete, connected streets. Strategies like these are used in communities of all sizes around the country. Small towns and rural areas generally have fewer financial, technical, and staff resources to draw on in responding to development proposals and growth pressures than their urban and suburban counterparts. As a result, rural communities need to identify strategies that they are able to implement with their resources.

This publication provides a range of strategies organized around 10 chapters that focus on key issues that rural communities face. It is intended to provide smart growth policy options that communities can implement. These policies can help small towns and rural areas ensure that their development is fiscally sound, environmentally responsible, and socially equitable. This publication is a companion to *Essential Smart Growth Fixes for Urban and Suburban Zoning Codes*.<sup>1</sup> While many of the essential fixes from that document can be adopted in communities of any size, this publication provides additional



Photo courtesy of EPA

*Seneca Falls, New York, has a thriving downtown with streets that are pleasant to walk along. Its "heritage area" designation preserves its history and attracts visitors.*

options specifically for rural communities. This publication does not provide model codes; rather, it offers a range of options communities can consider implementing to make their development patterns more fiscally and environmentally sustainable.

Some rural parts of the United States do not engage in planning, zoning, or creating building codes. Since land use authority largely rests at the local level, local decision-makers have this prerogative. This document contains resources that can help rural communities along the spectrum of local land use controls.

With planning and zoning that supports their vision, rural communities can flourish and improve the quality of life for their residents, attract and support businesses, and provide new opportunities while protecting the way of life they cherish. This document identifies methods for getting the type of development that works best in a rural context.

<sup>1</sup> EPA. *Essential Smart Growth Fixes for Urban and Suburban Zoning Codes*. 2009. EPA 231-K-09-003. [http://www.epa.gov/smartgrowth/essential\\_fixes.htm](http://www.epa.gov/smartgrowth/essential_fixes.htm).

## SMART GROWTH IN RURAL AREAS

Smart growth development approaches benefit the economy, the environment, public health, and the community as a whole. In rural communities, smart growth strategies address the relationship between the land and the small towns and villages that support rural economies. Working agricultural lands, prairies, forests, and natural resource extraction historically drove the economy in many rural towns. Hamlets and villages grew as places to trade goods and services and as transportation hubs that connected the land-based economy to markets. Historically, these places were economic, civic, cultural, and social hubs. The villages had many of the characteristics that even today are important attributes of attractive, healthy places. Homes were within walking distance of stores and workplaces; land was used efficiently by clustering village-related uses in the village and keeping farms and other working lands as large swathes of land with little or no development to interfere with the economic uses.

The International City/County Management Association's *Putting Smart Growth to Work in Rural Communities* discusses trends affecting rural America today and how rural communities can use smart growth strategies to prosper. That publication suggests that if communities want to maintain their rural character, they should pursue three goals using smart growth approaches:

- Support the rural landscape by creating an economic climate that enhances the viability of working lands and conserves natural lands.
- Help existing places thrive by taking care of assets and investments such as downtowns, Main Streets, existing infrastructure, and places that the community values.
- Create great new places by building vibrant, enduring neighborhoods and communities that people, especially young people, do not want to leave.<sup>2</sup>

By growing and revitalizing historic town centers and ensuring that new growth and development reinforce traditional patterns, rural communities can protect the way of life that their residents treasure while supporting economic growth and bringing new opportunities. *Essential Smart Growth Fixes for Rural Planning, Zoning, and Development Codes* can help rural communities find the right tools to put their vision into practice.

<sup>2</sup> ICMA. *Putting Smart Growth to Work In Rural Communities*. ICMA and Smart Growth Network. 2010. p. 1. <http://icma.org/ruralsmartgrowth>.

## SMART GROWTH PRINCIPLES

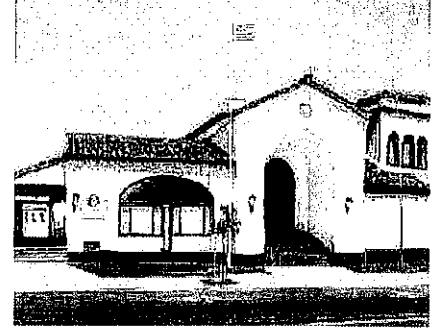
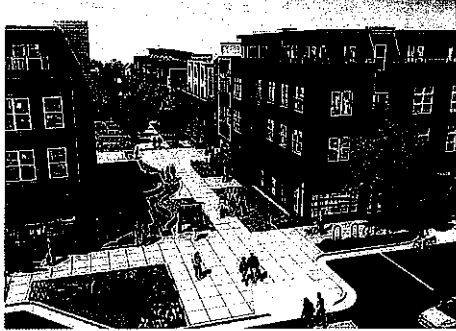
Since the mid-1990s, the Smart Growth Network, made up of organizations representing diverse interests, has been identifying best practices, policies, and strategies that help communities get the results they want from growth.<sup>3</sup> The network developed 10 smart growth principles, based on experiences of communities around the country. The principles are flexible enough to apply to all types of communities, from rural to urban.

- Mix land uses.
- Take advantage of compact design.
- Create a range of housing opportunities and choices.
- Create walkable communities.
- Foster distinctive, attractive communities with a strong sense of place.
- Preserve open space, farmland, natural beauty, and critical environmental areas.
- Strengthen and direct development toward existing communities.
- Provide a variety of transportation options.
- Make development decisions predictable, fair, and cost-effective.
- Encourage community and stakeholder collaboration in development decisions.

<sup>3</sup> For more information about the Smart Growth Network, see: Smart Growth Online: Smart Growth Network. <http://www.smartgrowth.org/network.php>. Accessed December 21, 2011.

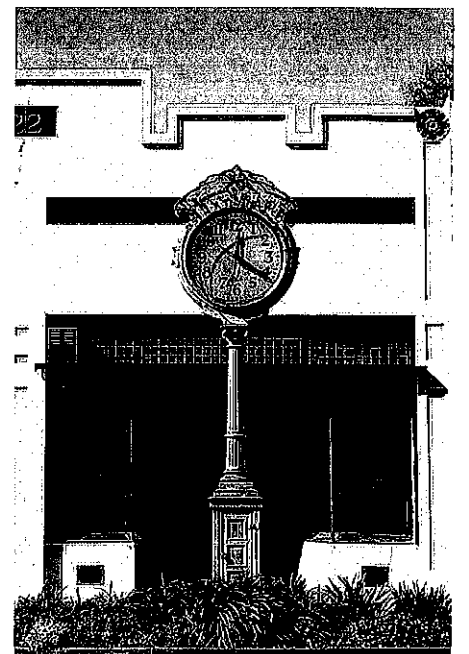






# CITY OF GUADALUPE VOLUME II: COMMUNITY PLAN

March 2009



CAL POLY **CRP**

## **EXECUTIVE SUMMARY**

The Guadalupe Community Plan contains long-term goals, objectives, policies, and programs to provide a basis for decision-making and guide development. Designed to create optimum levels of services, economic activity, and quality of life for residents and visitors, these statements are based on comprehensive research into existing community characteristics, anticipated opportunities, and public input. Guadalupe must be prepared to respond to the challenges and changes that projected population growth will bring, and this Plan can help guide that response.

This Plan is both a statement of purpose and a decision-making tool. As a statement of purpose, the Plan consists of the goals and objectives of its citizens. It identifies guidelines and a course of action that provide direction and the policies and programs to move from today's urban conditions to the citizens' desired conditions by the year 2030. In this sense, the overarching purpose of the Plan is to achieve the vision so vividly expressed by Guadalupe's residents.

In developing the Community Plan, graduate students from the Cal Poly, San Luis Obispo, City and Regional Planning department worked with City officials and community residents to formulate three different development scenarios. From these, a preferred scenario emerged, illustrating a possible future of Guadalupe in 2030. The preferred scenario accommodates the projected population and housing needs as well as the opportunities and constraints for future growth in Guadalupe.

***[3 pages of Report Omitted]***

## **Alternative Growth Scenarios**

Three development alternatives were formulated for Guadalupe's future, each identifying a range of possible urban forms and locations for intensification. The three alternatives developed include 1) Continuation of Existing Trends, 2) Moderate Growth, and 3) Comprehensive Growth. Each alternative contains a conceptual basis, locations, densities, number of housing units, and potential development intensities. The Moderate and Comprehensive Growth Alternatives also look at how development would affect specific sub-areas, or areas of focus, within the City. Community input, growth projections and opportunities and constraints guided the development of each alternative.

## **Preferred Growth Scenario**

The Preferred Scenario for 2030 is a hybrid of the concepts in the Moderate Growth and Comprehensive Growth Alternatives. Development is focused on the main arterial/thoroughfare (Highway 1) that bisects the City. The scenario is based on community input from four previous meetings, particularly the "Alternative Futures" meeting on February 26, 2009. The main emphasis of the Preferred Scenario is on stimulating and concentrating economic growth downtown and to discourage urban sprawl. This scenario would increase sales tax and property tax revenues, provide jobs for residents, and create a more vibrant downtown.

The Preferred Growth Scenario contains the following population, housing and economic targets:

- The projected population for 2030 is 7,880.
- This will require an additional 450 housing units.
- The target number of jobs is a total of 690 jobs, an increase of 260 from 2009.

The Preferred Growth Scenario proposes the following land use categories:

- Downtown Mixed Use Designation - Focus on commercial, specifically ground floor retail, but accommodate office and residential uses on upper floors.
- Downtown Residential Designation – Focus on residential but accommodate commercial uses on ground floor.
- Corridor Mixed Use Designation – Mix of light industrial and commercial as needed. Can be achieved with industrial live-work units.
- Intensified Industrial – Increase the allowed floor-area ratio (FAR) on industrial-zoned land, focus industrial uses to the east of the train tracks and west of Obispo Street.

## **Goals, Objectives, Policies, and Programs**

The Plan recommends goals, objectives, policies, and programs to guide the growth of the City. These goals, objectives, policies and programs also shaped the Alternative Futures and Preferred Scenario. Following is a summary of the goals, or desired end states, for each element.

## **Demographics and Economic Development**

- Goal DE 1:** An economy with abundant employment opportunities.
- Goal DE 2:** High-quality commercial uses that meet residents needs and generate significant sales tax revenue to help support public services.
- Goal DE 3:** A business environment that supports the retention of existing businesses and attracts new businesses.

## **Land Use**

- Goal LU 1:** Appropriate and adequate mix of land uses, providing for high-quality living and working environments.
- Goal LU 2:** A compact urban form to discourage sprawl, encourage use of alternative modes of transportation, and preserve agricultural land.
- Goal LU 3:** Improved land use compatibility.

## **Circulation**

- Goal CIR 1:** A transportation system that is consistent with land uses in Guadalupe.
- Goal CIR 2:** An environmentally sustainable and healthy transportation system that improves energy efficiency and maintains good air quality.
- Goal CIR 3:** An accessible and affordable transportation system for all residents.
- Goal CIR 4:** An efficient transportation system.
- Goal CIR 5:** A safe transportation system.

## **Housing**

- Goal H 1:** Adequate supply of safe and decent housing for all income levels
- Goal H 2:** Sufficient level of affordable housing supply.
- Goal H 3:** Infill housing growth downtown in the vicinity of Guadalupe Street.
- Goal H 4:** Well-designed housing units in keeping with the character of surrounding neighborhoods.
- Goal H 5:** Adequate housing for special needs groups

## **Public Facilities**

- Goal PF 1:** Adequate supply of drinking water to meet present and future needs.
- Goal PF 2:** An adequate wastewater collection and treatment facility to meet community needs and ensure public health.
- Goal PF 3:** Effective solid waste collection and diversion services that protect the public health and natural environment.
- Goal PF 4:** Effective and responsive police and fire services for public health and safety needs.
- Goal PF 5:** Quality schools and educational facilities.

## **Conservation**

- Goal C 1:** Protected and enhanced natural habitats where native plants and wildlife species thrive.
- Goal C 2:** Well managed water resources resulting in clean, reliable municipal supply and high aquatic habitat value.
- Goal C 3:** Air quality that supports health and enjoyment for those who live, work in and visit Guadalupe.
- Goal C 4:** An educated, active community that promotes energy efficiency and sustainability.
- Goal C 5:** Enhanced intergovernmental coordination on conservation issues.

## **Parks and Open Space**

- Goal PO 1:** Adequate parks and recreational facilities to meet community needs.
- Goal PO 2:** A variety of parks and recreation facilities to meet diverse public needs.
- Goal PO 3:** Low maintenance, safe and attractive parks.
- Goal PO 4:** Easily accessed parks and open spaces.
- Goal PO 5:** Preserve agricultural land within the planning area.

## **Safety**

- Goal S 1:** A community with a comprehensive and reliable emergency response capability
- Goal S 2:** A community with safe night time environments and reduced vandalism
- Goal S 3:** A community with comprehensive, updated hazard mapping
- Goal S 4:** A community without water and flooding hazards
- Goal S 5:** Seismically safe buildings and infrastructure throughout City

## **Noise**

- Goal N 1:** Noise levels that remain within acceptable levels for all land uses.

## **Community Design and Sense of Place**

- Goal CS 1:** An interconnected system of landscaped sidewalks
- Goal CS 2:** "Small town" character in the downtown core
- Goal CS 3:** A community with unique historic resources
- Goal CS 4:** Development through sustainable design
- Goal CS 5:** Human scale design in the commercial center that connects pedestrians to the built environment
- Goal CS 6:** A community with a distinct sense of place
- Goal CS 7:** A community with a distinct cultural heritage and identity
- Goal CS 8:** Enhance neighborhood wellness and community social interaction

***[57 pages of Report Omitted]***

## 5.0 PREFERRED GROWTH SCENARIO

### 5.1 Introduction

The Preferred Growth Scenario for 2030 is a modification of the concepts from the Moderate Growth Alternative and the Comprehensive Growth Alternative. Development is focused on the main arterial/thoroughfare (Highway 1) that bisects the City. The scenario is based on community input from four previous meetings, particularly the “Alternative Futures” meeting on February 26, 2009. The intent of the Preferred Growth Scenario is to stimulate economic growth concentrated in the downtown rather than relying on outward suburban expansion. This scenario is designed to increase sales tax and property tax revenues, and provide jobs for residents, while creating a more vibrant downtown.

- The projected population for 2030 is 7,880.
- This will require an additional 450 housing units.
- The target number of jobs is a total of 800 jobs, an increase of 370 from 2007.

### 5.2 Concept and Proposal

#### Conceptual Basis

The primary goal of the Preferred Growth Scenario is to create an environment in which the City can improve the jobs/housing ratio and encourage economic growth, achieved through an increased sales tax base and rising incomes. The Preferred Growth Scenario includes a 10 percent increase to match the County labor force participation rate of 65 percent, equating to 690 jobs total. To accommodate additional jobs and housing units, it is appropriate to exhaust all infill opportunities, developing vacant land first (Figure 5-1), and concentrating growth in the downtown core. In this way, the Preferred Growth Scenario would promote a higher density, pedestrian-friendly, compact, mixed-use environment with residential uses above retail- and service-commercial uses. The emphasis should be on an eventual jobs/housing balance with more local- and tourist-serving retail uses. Office uses may also be appropriate on the second floor of mixed-use buildings. The overall development strategy recommended consists of:

- Locate development on infill, vacant land first, then concentrate development in the downtown core.
- Improve jobs/housing ratio to eventually achieve a jobs/housing balance
- Maximize efficiency of existing public services and infrastructure
- Provide Park/Open Space in or near downtown
- Develop the northern area of DJ Farms Specific Plan area only if required to accommodate commercial and/or housing needs
- Provide new elementary school to address currently exceeded capacity and projected future growth
- Provide transit Hub at Amtrak Station
- Promote the development of a hotel

Under this Preferred Growth Scenario, the goal is focused redevelopment along Guadalupe Street in the Central Business District, minimizing the need for infrastructure expansion, reducing costs, and maximizing efficiency of existing public services. The DJ Farms Specific Plan area does not need to be developed in its entirety for the 2030 planning horizon in order to accommodate projected commercial and housing needs. There is enough land within the current urban area. If DJ Farms is to be developed by 2030, the Preferred Growth Scenario proposes development of only the northernmost portion of the Specific Plan area.

## Land Uses

### Existing Land Uses

Areas not designated for redevelopment under the Preferred Growth Scenario retain their existing land use designations. The proposed land use map is shown in Figure 5-1.

### Proposed Land Uses

There are four proposed land uses, summarized in Table 5-1, to guide future development in Guadalupe.

*Downtown Mixed Use Designation* - Focus on commercial ground floor retail, while accommodating residential uses up to 4-stories in height.

*Downtown Residential Designation* – Focus on residential uses up to 3-stories in height, while accommodating commercial uses.

*Corridor Mixed Use Designation* – Mix of light industrial and general industrial, residential, and commercial uses as needed, up to 2-stories in height. This can be achieved through industrial live-work units.

*Intensified Industrial* – Increase FAR on existing industrial land, and focus industrial uses on land to the east of the railroad tracks and west of Obispo Street.

Table 5-1. Summary of Proposed Land Uses

	Total Acres	Vacant Acres	Residential Proposed Density	Proposed Intensity
Downtown Mixed Use	15	2	10-15 du/acre	FAR 0.6-0.8
Downtown Residential	15	5	15-20 du/acre	FAR 0.4-0.6
Corridor Mixed Use	16	3	10-15 du/acre	FAR 0.6-0.8
Intensified Industrial	46	4		FAR 0.3-0.5

Source: Cal Poly 2009

**[7 pages of Report Omitted]**



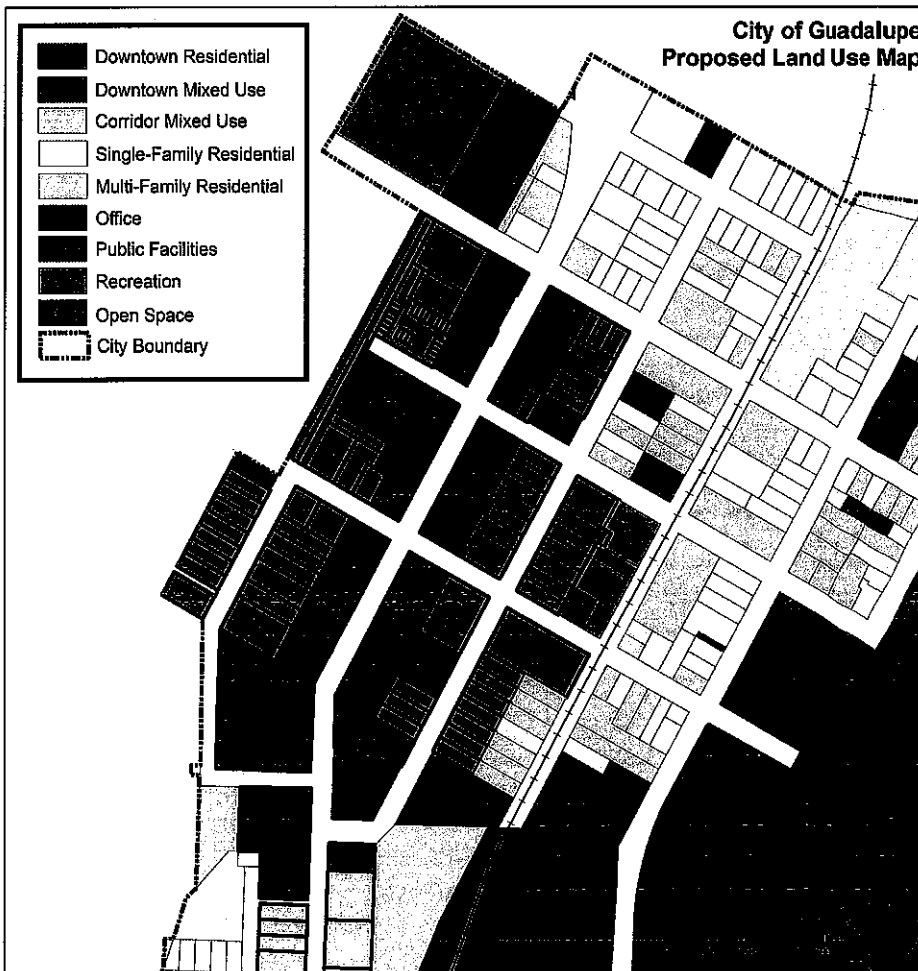
## Preferred Growth Scenario Subareas

Three sub-areas of Guadalupe have been identified that coincide with the three proposed land use designations: Downtown Residential, Downtown Mixed Use, and Corridor Mixed Use. These new designations, as well as the Industrial Subarea and the DJ Farms Specific Plan area will be discussed in this section. The proposed changes in land use include additional dwelling units per acre and an increase in the maximum allowable Floor Area Ratio (FAR) in each sub-area.

### Downtown Mixed Use Subarea

The Downtown Mixed Use subarea (Figure 5-6) is made up of all parcels fronting Guadalupe Street (Highway 1), from Tenth Street to the intersection of Olivera Street and Guadalupe Street. These parcels will have a three-story maximum building height to create a downtown atmosphere, but not overpower the small town character and scale. Preservation of historic buildings, whether officially designated or not, is essential. Appropriate measures should be taken to preserve such buildings.

Figure 5-6. Downtown Mixed Use and Downtown Residential Subareas

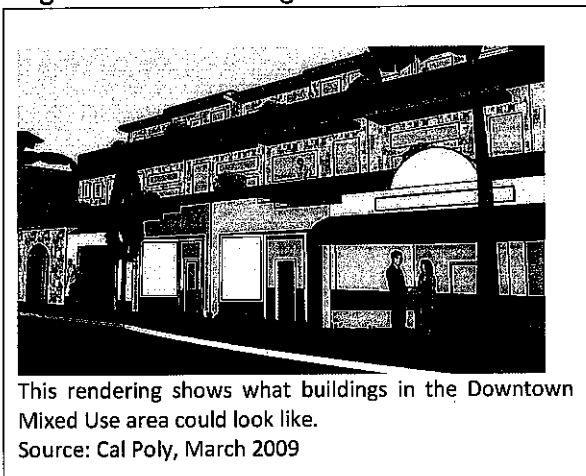


Source: Cal Poly, 2009

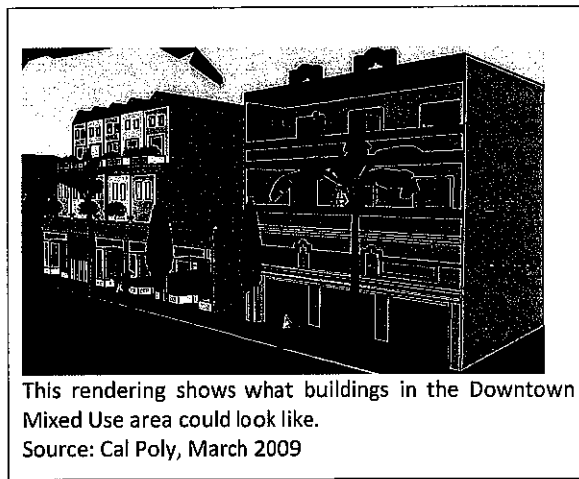
This area is currently within the General Commercial (G-C) zone, known as the Central Business District. There are 12 existing dwelling units and 121,939 square feet of commercial retail and services. The new Downtown Mixed Use designation would allow for 10 to 15 dwelling units per acre and 0.8 to 1.0 commercial/retail FAR, for a potential of 150 to 225 dwelling units and maximum potential of 418,176 square feet of commercial retail and service space. This is an ideal location for a hotel. A specific plan is recommended for this area to determine specific land uses, circulation, urban design, and development standards. Flexible parking requirements will be provided as an incentive for developers who wish to utilize the maximum building height and increase density.

Atop one of the three-story buildings in a central location in downtown, a "Lookout to the Dunes" point of interest with viewing stations will allow visitors to view the Dunes from downtown, creating a symbolic connection to the Guadalupe-Nipomo Dunes while allowing tourists to shop and eat in downtown, bolstering the local economy and increasing sales tax revenue to help fund public services and facilities

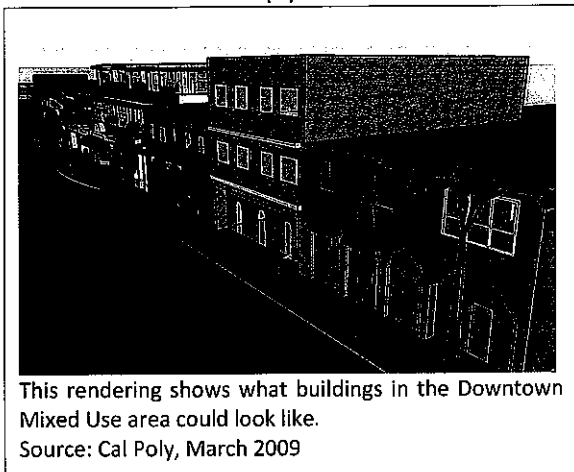
Figure 5-7. Renderings of Downtown Mixed Use Subarea



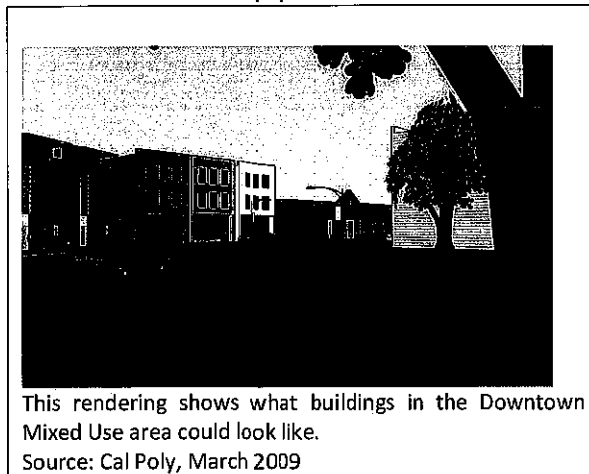
(a)



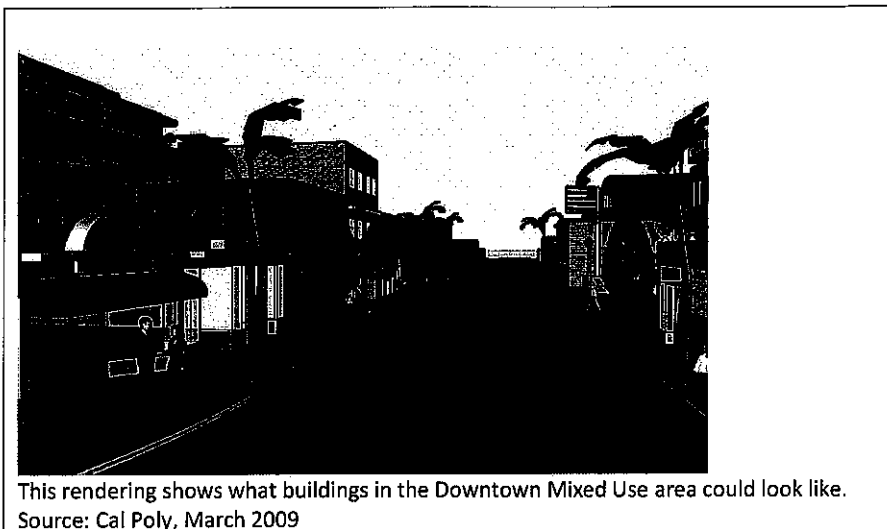
(b)



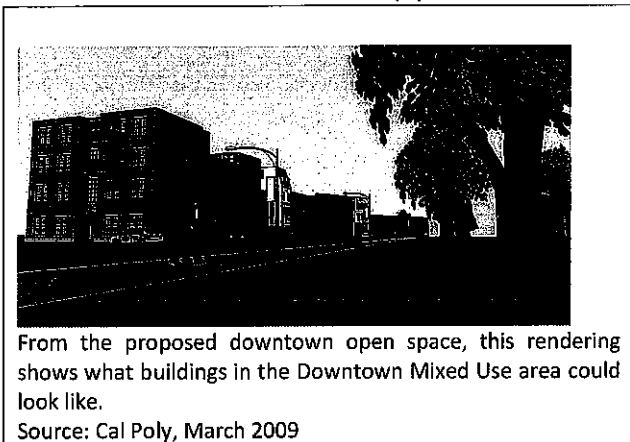
(c)



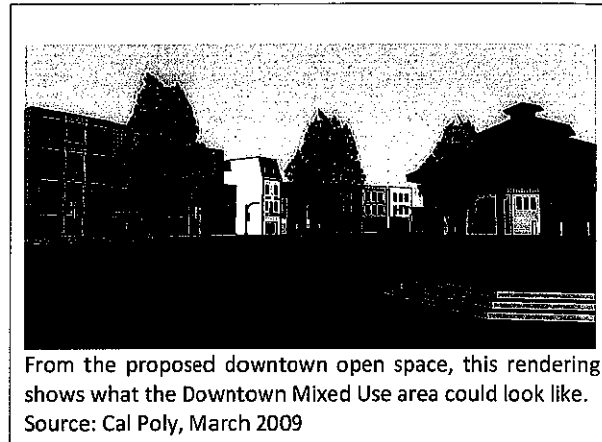
(d)



(e)



(f)



(g)

**Downtown Residential Subarea**

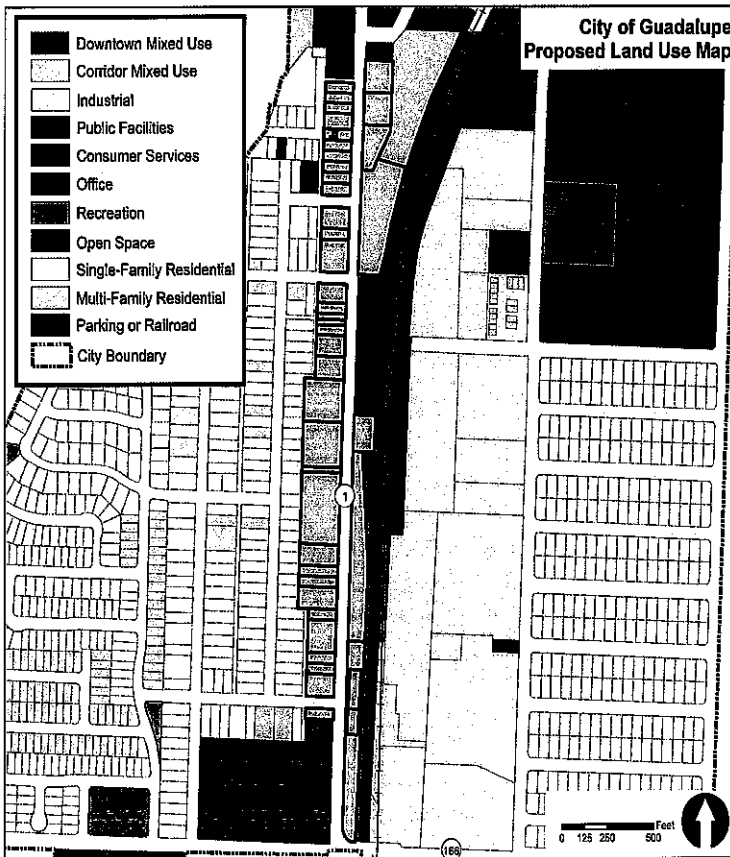
The Downtown Residential subarea (Figure 5-6) surrounding the Downtown Mixed Use subarea to the east and to the west (on each side of Pioneer Street, and on each side of Olivera Street) has a maximum building height of two to three-stories to tier down and fit with existing single-family neighborhoods. This will also prevent the blocking of any views towards the Dunes to the west. This area should focus on residential, but commercial uses that enhance the downtown character and are convenient for residences are also appropriate. There are 81 existing dwelling units and 2,520 square feet of commercial retail and services. The new Downtown Residential designation would allow for 15 to 20 dwelling units per acre and 0.6 to 0.8 commercial/retail FAR, for a potential of 225 - 300 dwelling units and 235,224 square feet of commercial/retail space.

Two- to three-story buildings are appropriate for a tapering (or tiered) appearance to match single-family neighborhoods both east and west of Guadalupe Street. This encourages building heights that are compatible with nearby one and two-story buildings.

### Corridor Mixed Use Subarea

The new Corridor Mixed Use designation (Figure 5-8) combines retail, commercial, light industrial, and residential uses. This will serve as an extension of the main downtown corridor that is along the northern portion of Guadalupe Street, increasing pedestrian and retail activity and creating consistency in land uses to minimize conflicts. The light industrial designation is also meant to provide land for businesses that support the industrial sector of the City and local economy. Building heights will be between one and two-stories, with 10 to 15 dwelling units per acre, or a floor area ratio of 0.6 to 0.8. This will provide a potential of 140 to 240 dwelling units and 453,024 square feet.

Figure 5-8. Corridor Mixed Use and Industrial Subareas



Source: Cal Poly, 2009

### Industrial Subarea

Industrial uses (Figure 5-8) east of the new Corridor Mixed Use designation, shown in Figure 5-24, will be intensified. The current FAR is roughly 0.13. This will be increased to between 0.3 and 0.5 and allowed between the railroad tracks and Obispo Street in order to create greater continuity on Guadalupe Street. This will provide 500,940 square feet.

**[20 pages of Report Omitted]**

## 6.0 DEMOGRAPHICS AND ECONOMIC DEVELOPMENT

### 6.1 Introduction

The Economic Development Element is an optional element of the General Plan, not mandated by the State. By inclusion of this Element in the General Plan, the City of Guadalupe acknowledges the importance of economic development to its future growth. Job creation, the establishment of a clear economic strategy, and effective use of the City's finances, public services and facilities are all vital to the economic development of the City. By making a healthy local economy a high priority, the City recognizes the relationship between a strong local economy and the future well-being of its citizens.

Current population trends reveal Guadalupe has a diverse, young, and growing population. Much of the City's labor force works outside of the City limits and has a lower per capita income than comparable communities, such as Nipomo and Grover Beach. These factors indicate Guadalupe's economy is in need of diversification and stability. Policies attracting businesses, promoting tourism, and encouraging local spending will help to improve existing conditions. Thus, the goals, objectives, policies, and programs within this element aim to support its long-term effort to improve economic conditions for all residents.

### 6.2 Goals, Objectives, Policies, and Programs

**Goal DE 1:** An economy with abundant employment opportunities.

**Objective DE 1.1:** Raise the employment rate to State and County levels.

*[Policies and Programs omitted]*

**Objective DE 1.2:** Increase median household incomes to Santa Barbara County levels by 2019 by attracting medium and high-wage paying jobs.

*[Policies and Programs omitted]*

**Objective DE 1.3:** A local, well-trained, well-educated workforce that can meet expanded business needs.

*[Policies and Programs omitted]*

**Objective DE 1.4:** Create 50 new jobs by 2014.

*[Policies and Programs omitted]*

**Goal DE 2:** High-quality commercial uses that meet residents needs and generate significant sales tax revenue to help support public services.

**Objective DE 2.1:** Attract a full-service food center, business class and leisure hotel, pharmacy, home improvement center, and a major, high quality retailer, such as Target, Gottschalks or similar business.

**Policy DE 2.1.1:** The City shall support the establishment of a Chamber of Commerce and an Economic Task Force.

**Program DE 2.1.1.a:** Establish a unified Chamber of Commerce to help foster cooperation among business owners and local government.

**Program DE 2.1.1.b:** Create a citizen task force that will advise the Council on business related issues, concerns, and opportunities.

**Objective DE 2.2:** Develop and implement a tourism strategy.

**Policy DE 2.1.2:** Guadalupe should actively participate in Santa Barbara County's tourism programs.

**Program DE 2.1.2:** The City will identify and improve its visitor attractions, including capitalizing on the proximity of the Guadalupe Dunes State Park to draw visitors to the City.

**Goal DE 3:** A business environment that supports the retention of existing businesses and attracts new businesses.

**Objective DE 3.1:** Guadalupe will target and attract industries/businesses that contribute to the growth of the local economy.

**Policy DE 3.1.1:** Through marketing and economic development programs, identify and attract businesses that complement existing agriculture industries.

**Program DE 3.1.1:** Prepare and periodically update a Strategic Development Plan. The Plan shall identify targeted business sectors for capital expansion and recruitment efforts, and include a strategy to reach the desired jobs-housing and jobs-labor force ratios.

## 7.0 LAND USE

### 7.1 Introduction

The Land Use Element is a long-range vision guiding decisions regarding land use designations through the distribution of housing, businesses, industry, agriculture, open space, and public facilities. The purpose of the Land Use Element is to shape the future physical development of Guadalupe and preserve and enhance citizens' quality of life. This will allow the City to remain a unique community with a mix of land uses providing a variety of job and housing opportunities while maintaining its open space and surrounding agriculture. As required by state law, this Element contains text and maps designating future use and reuse of land within City limits. The Land Use Element also includes standards of density and building intensity.

In October 2008, a land use inventory was conducted by the Cal Poly Study Team to identify existing land uses, as well as densities and intensities of each use. The findings show that residential uses and the DJ Farms Specific Plan area each account for about one-third of the City's planning area. Agriculture, open space, and parks are also common land use types. Industrial uses are concentrated between Guadalupe Street and Obispo Street and the majority of commercial uses are focused in the downtown area. Further analysis suggests the City can maintain a compact urban form through infill development of vacant and underutilized parcels. However, strategic development in the DJ Farms Specific Plan area is needed to create greater economic growth opportunities for the City. As such, the goals, objectives, policies, and programs presented in this Element consider land use, physical, legal, and environmental constraints, and the needs and wants of the community (identified in a series of community workshops) to create policies that guide land use, growth, and quality of life.

### 7.2 Goals, Objectives, Policies, and Programs

**Goal LU 1:** Appropriate and adequate mix of land uses, providing for high-quality living and working environments.

**Objective LU 1.1:** An appropriate allocation of residentially-zoned land based on housing needs projections updated bi-annually.

*[Policies and Programs omitted]*

**Objective LU 1.2:** Develop all vacant and underutilized commercial land with commercial uses by 2030.

**Policy LU 1.2.1:** The General Plan shall include a Downtown zoning district for commercial and mixed-use buildings.

**Program LU 1.2.1.a:** The City shall amend the Zoning Code and Zoning Map to include a Downtown Commercial (CD) zone.

**Program LU 1.2.1.b:** The residential density of mixed-use buildings shall be between 10 and 15 dwelling units per acre.

**Program LU 1.2.1.c:** Provide reduced development impact fees for residential uses above or within commercial/retail/light industrial.

**Policy LU 1.2.2:** Parcels fronting major arterial streets shall have the most intense commercial uses.

**Program LU 1.2.2.a:** The City shall modify land use designations to accommodate commercial or mixed-use development along Guadalupe Street and Main Street.

**Program LU 1.2.2.b:** Commercial buildings shall have a minimum Floor Area Ratio of 1.0.

**Program LU 1.2.2.c:** The City will consider offering tax incentives to encourage appropriate businesses to locate in commercial nodes.

**Policy LU 1.2.3:** Encourage tourist-serving uses within one mile of the train station.

**Objective LU 1.3:** Attract and retain a full-service food center by 2012.

**Policy LU 1.3.1:** Land use decisions and discretionary review shall support retail development that meets the needs of the community.

**Program LU 1.3.1.a:** The City Manager shall provide a report to City Council by January 2010, detailing the requirements and methods to locate a food center in Guadalupe.

**Objective LU 1.4:** Retain the current supply of land zoned for industrial uses.

**Policy LU 1.4.1:** The amount of land designated for industrial uses shall be based on the projected need.

**Policy LU 1.4.2:** The City will encourage increased intensity of industrial land uses prior to further designation of industrial land.



**Objective LU 1.5:** Designate appropriate amount of land for public facilities and parks.

**Policy LU 1.5.1:** The amount of land needed for the growth of public facilities and parks shall be based on population growth projections.

**Goal LU 2:** A compact urban form to reduce sprawl, encourage alternative modes of transportation, and preserve agricultural land.

**Objective LU 2.1:** Before annexing agricultural land, all vacant and underutilized parcels shall be developed.

*[Policies and Programs omitted]*

**Objective LU 2.2:** By 2012, define an urban growth boundary.

*[Policies and Programs omitted]*

**Objective LU 2.3:** Ensure new development pays its “fair share” to repair, improve, replace, or expand infrastructure to serve that development.

*[Policies and Programs omitted]*

**Objective LU 2.4:** By 2030, at least 60 percent of dwellings will be within acceptable walking and biking distances from commercial uses.

*[Policies and Programs omitted]*

**Objective LU 2.5:** Concentrate new commercial and residential development near established and/or potential transit and retail nodes/corridors.

*[Policies and Programs omitted]*

**Objective LU 2.6:** Use community facilities to their maximum capacity before expansion.

*[Policies and Programs omitted]*

**Goal LU 3:** Improved land use compatibility.

**Objective LU 3.1:** Separate uses that create conflict or adverse impacts.

*[Policies and Programs omitted]*

*[37 pages of Report Omitted]*

## 15.0 COMMUNITY DESIGN AND SENSE OF PLACE

### 15.1 Introduction

#### Community Design and Sense of Place

The Community Design and Sense of Place chapter focuses on creating a desirable environment in which to live, work, and play. It also emphasizes Guadalupe's unique and historic identity. While the Community Design Element is an elective and not required element of the General Plan, community design includes the relationship between buildings, streets, land uses, open space, circulation, height, massing, natural features, and human activity and, as one of the most visible aspects of the City, warrants comprehensive coverage in the General Plan.

#### Existing Conditions and Emerging Directions

Within the City, sense of place is created by cultural, historical, and architectural elements, such as murals, setbacks, fencing, architectural details, and storefronts. Key areas that define Guadalupe's sense of place include the downtown commercial core, with its significant historical buildings, various residential neighborhoods, and the industrial park. To strengthen the City's character, architectural guidelines can be created to address new construction, the downtown core, pedestrian connections, park space, public art, and "gateways" to the community. Emphasis on creating public spaces, implementing sustainable design principles, and preserving landmarks, open space, and historical buildings can further enhance Guadalupe's sense of place.

### 15.2 Goals, Objectives, Policies, and Programs

#### Goal CS 1: An interconnected system of landscaped sidewalks

**Objective CS 1.1:** Landscaped sidewalks and streets that provide shade, foliage, screening of unattractive areas, and visual interest.

*[Policies and Programs omitted]*

#### Goal CS 2: "Small town" character in the downtown core

**Objective CS 2.1:** Buildings in the downtown core shall create a character associated of a typical "main street".

*[Policies and Programs omitted]*

**Goal CS 3: A community with unique historic resources**

**Objective CS 3.1:** Preserve houses and commercial buildings with historic or architectural significance.

*[Policies and Programs omitted]*

**Goal CS 4: Development through sustainable design**

**Objective CS 4.1:** Promote sustainable and green design in new buildings and in remodels.

*[Policies and Programs omitted]*

**Goal CS 5: Human scale design in the commercial center that connects pedestrians to the built environment.**

**Objective CS 5.1:** Create a pedestrian-oriented and aesthetically pleasing commercial center.

*[Policies and Programs omitted]*

**Goal CS 6: A community with a distinct sense of place.**

**Objective CS 6.1:** Protect the positive identity of Guadalupe's historical areas through upkeep and restoration activities.

*[Policies and Programs omitted]*

**Objective CS 6.2:** "Brand" the City of Guadalupe as the primary gateway to the Guadalupe-Nipomo Dunes.

*[Policies and Programs omitted]*

**Goal CS 7: A community with a distinct cultural heritage and identity.**

**Objective CS 7.1:** Enhance Guadalupe's cultural and community identity.

*[Policies and Programs omitted]*

**Objective CS 7.2:** Embrace and promote Guadalupe's cultural diversity.

*[Policies and Programs omitted]*

**Goal CS 8:** Enhance neighborhood wellness and community social interaction.

**Objective CS 8.1:** Establish a community “market day” and seasonal festivals to showcase community talent, crafts, artwork and youth groups.

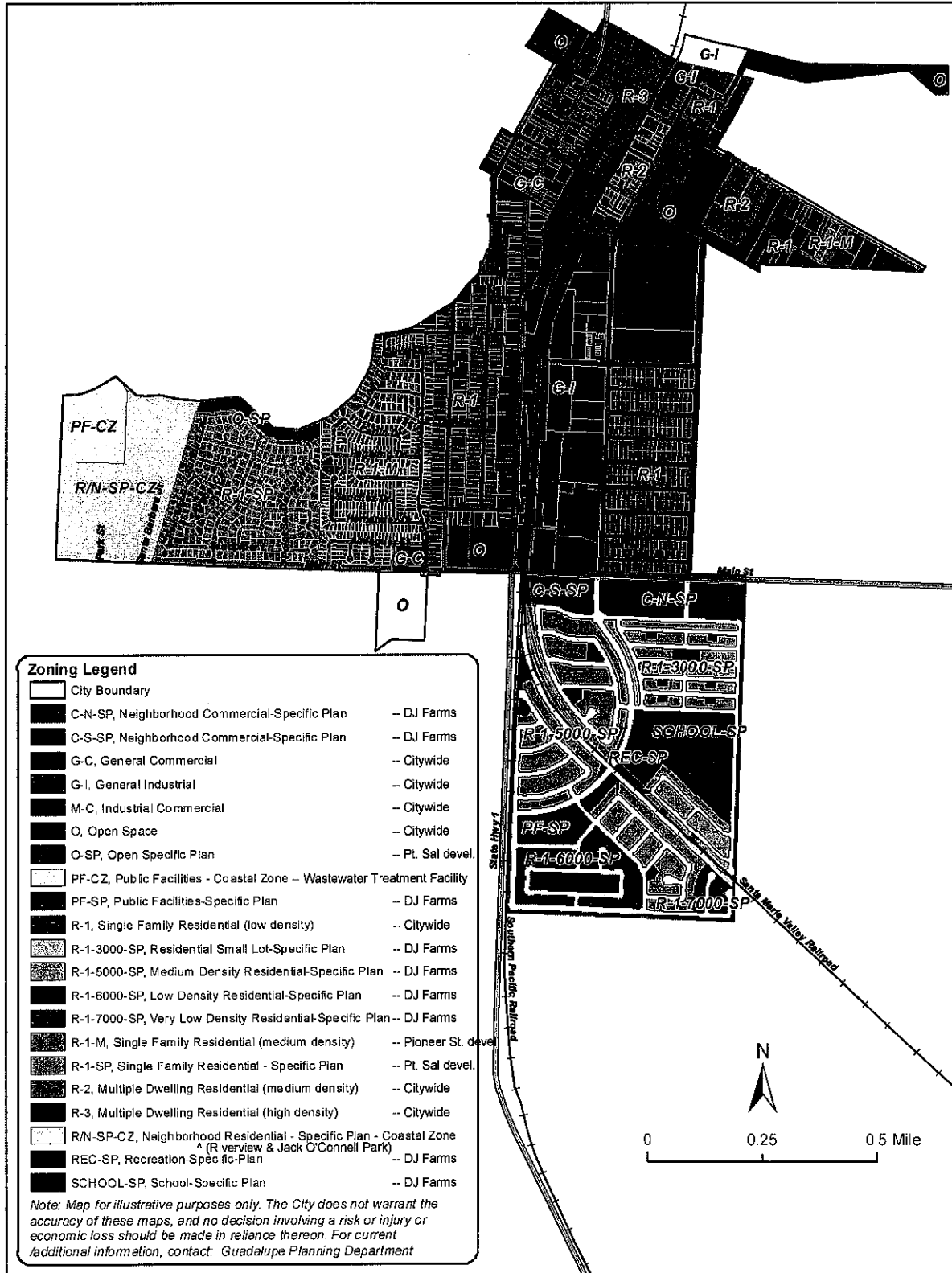
*[Policies and Programs omitted]*

**Objective CS 8.2:** Create opportunities for expressions of community identity.

*[Policies and Programs omitted]*

*[References & Appendix for Report Omitted]*

Current Zoning Map



Current Zoning Map

**Lot Summary -- Guadalupe Commercial & Industrial Zones**

Downtown G-C	Total Lots	Vacant* Lots	Total Area	Avg. Lot Size	Actual Lots More than 0.5 acres		Actual + Merged Lots^ More than 0.5 acres		Actual + Merged Lots^ More than 1.0 acres	
					Total	Vacant	Total	Vacant	Total	Vacant
Downtown G-C on Guadalupe	76	16	18.31	0.24	9	1	17	2	2	0
Downtown G-C off Guadalupe	42	13	9.30	0.22	2	2	3	3	0	0
City Owned G-C**	6	2	1.54	0.26	0	0	1	0	0	0
<b>Total Downtown G-C</b>	<b>124</b>	<b>31</b>	<b>29.15</b>	<b>0.24</b>	<b>11</b>	<b>3</b>	<b>21</b>	<b>5</b>	<b>2</b>	<b>0</b>

M-C (Lower Guadalupe St.)	Total Lots	Vacant* Lots	Total Area	Avg. Lot Size	Actual Lots More than 0.5 acres		Actual + Merged Lots^ More than 0.5 acres		Actual + Merged Lots^ More than 1.0 acres	
					Total	Vacant	Total	Vacant	Total	Vacant
<b>Total M-C</b>	<b>23</b>	<b>4</b>	<b>8.54</b>	<b>0.37</b>	<b>4</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>0</b>

Other Commercial	Total Lots	Vacant* Lots	Total Area	Avg. Lot Size	Actual Lots More than 0.5 acres		Actual + Merged Lots^ More than 0.5 acres		Actual + Merged Lots^ More than 1.0 acres	
					Total	Vacant	Total	Vacant	Total	Vacant
W. Main Shop Center (G-C)	1	0	1.68	1.68	1	0	1	0	1	0
Pasadera (C-N & C-S)	3	3	21.49	7.16	3	3	3	3	3	3

G-I	Total Lots	Vacant* Lots	Total Area	Avg. Lot Size	Actual Lots More than 2.0 acres		Actual + Merged Lots^ More than 2.0 acres		Actual + Merged Lots^ More than 4.0 acres	
					Total	Vacant	Total	Vacant	Total	Vacant
On Guadalupe Street	2	1	3.76	1.88	1	1	1	1	0	0
On Rt. 166	2	2	7.07	3.54	2	2	2	2	1	1
North (11th & Peralta)	4	2	12.65	3.16	4	2	4	2	1	1
East of RR tracks (& not above)	21	8	75.66	3.60	8	2	8	2	6	2
City-Owned & RR**	5	0	21.04	4.21	2	1	2	1	1	0
<b>Total Downtown G-C</b>	<b>34</b>	<b>13</b>	<b>120.18</b>	<b>3.53</b>	<b>17</b>	<b>8</b>	<b>17</b>	<b>8</b>	<b>9</b>	<b>4</b>

\* Vacant means no building on lot. Does not include distressed or unoccupied buildings.

^ "Merged Lots" based on current common ownership.

\*\* City-Owned in G-C = Legion Hall, 3 Royal lots, City parking lot, pump station. Assumes Lantern Hotel in private hands.

\*\*\* City-Owned in G-I = Amtrak station & Water treatment facility.

## City of Guadalupe -- Commercial & Industrial Zoning Classifications

### In Use -- Citywide

#### **18.36.010 Purpose of district.**

#### **G-C, General Commercial**

The purpose of the G-C district is to provide an area for the orderly expansion and development of the business district as a retail shopping area to serve present and future needs of the residential community, in conformance with the General Plan.

#### **18.40.010 Purpose of district.**

#### **M-C, Industrial Commercial**

The purpose of the M-C district is to provide a district for the combined industrial and commercial enterprises necessary to serve the residents, industries and nearby farms.

#### **18.44.010 Purpose of district.**

#### **G-I, General Industrial**

The purpose of the G-I district is to provide a district that permits agricultural processing or support industries and other general industrial uses in conformance with the land use element of the General Plan.

### In Use -- Pasadera Only

#### **18.38.010 Purpose of district.**

#### **C-N, Neighborhood Commercial**

The purpose of the C-N district is to provide retail sales and personal services primarily for the convenience of surrounding residential neighborhoods. Neighborhood commercial uses should provide several types of merchandise, as opposed to a business offering a wide selection of a single type of merchandise.

#### **18.34.010 Purpose of district.**

#### **C-S, Commercial Service**

The purpose of the C-S district is to accommodate business-related services, businesses that require larger buildings or outdoor storage areas, limited fabrication of merchandise sold on the premises, or farm-related businesses.

### Not Currently in Use

#### **18.35.010 Purpose of district.**

#### **MIX, Mixed-Use**

The purpose of the MIX district is to accommodate a range of land uses on the same site, including retail, offices and dwellings. (Nothing currently zoned MIX.)

#### **18.42.010 Purpose of district.**

#### **C-R, Commercial Recreation**

The purpose of the C-R district is to accommodate businesses who cater to the recreation needs of the community.

#### **18.46.010 Purpose of district.**

#### **UR/I, Urban Reserve/Light Industrial**

The purpose of the UR/I district is to provide locations for light manufacturing, trucking and other industrial related land uses, as well as to serve as a holding zone which may be redesignated to meet the changing need for land. (Nothing currently zoned UR/I.)

**Permitted and Conditional Uses in Guadalupe's Commercial and Industrial Districts**

Use	Citywide			Pasadena Only		Not Currently in Use		
	G-C	M-C	G-I	C-N	C-S	MIX	C-R	UR/I
Retail stores offering new merchandise for resale to the general public	Permitted							
Retail sale of groceries & liquor (<2,000 square feet)				Conditional		Conditional	Conditional	
Retail sale of groceries & liquor (>2,000 square feet)				Permitted				
Convenience stores			Permitted					
Retail sale of auto parts, tires & batteries			Permitted		Permitted			Permitted
Retail sale of autos, boats, mobile homes			Permitted		Permitted			Permitted
Automobile, truck or farm machinery sales facilities		Permitted						
Retail sale of building & landscaping materials			Permitted		Permitted			Permitted
Retail sale of furniture & appliances			Permitted		Permitted			Permitted
Retail sale & rentals of specialty items, such as video rental, clothing stores, books, records, toys & stationery				Conditional		Conditional	Conditional	
Retail sale of sporting goods & athletic equipment, including bicycles							Permitted	
Secondhand sales wholly within a building		Permitted						
Eating & entertainment establishments	Permitted							
Restaurants		Permitted	Permitted	Conditional		Conditional	Conditional	
Fast food places			Permitted					
Bars & taverns								
Hotels & motels	Permitted			Conditional		Conditional	Conditional	
Bed & breakfast inns								
Recreation vehicle park	Conditional							
Auto repair & related services (& parking garages)	Conditional				Permitted			Permitted
Automobile, truck or farm machinery service, repair & storage facilities		Conditional						
Automotive body repair or painting			Permitted					
Auto & other upholstery			Permitted					
Carwash			Permitted		Permitted			Permitted
Service stations			Permitted	Conditional	Permitted			Permitted



**Permitted and Conditional Uses in Guadalupe's Commercial and Industrial Districts**

Use	Citywide			Pasadera Only			Not Currently in Use		
	G-C	M-C	G-I	C-N	C-S	MIX	C-R	UR/I	
Bakeries		Permitted							
Banks, savings & loans (Banks & loan offices)	Permitted			Permitted		Permitted			
Barbers, hairstylists				Permitted	Conditional	Permitted			
Butcher shops, bakeries & other food preparation for retail sale	Permitted								
Dressmaking, tailor, jewelry & other small handicraft establishments	Permitted								
Florists				Permitted		Permitted			
Pharmacies				Permitted		Permitted			
Photographic studios				Permitted		Permitted			
Laundromats	Permitted								
Laundry & dry-cleaning facilities	Permitted	Permitted							
Laundries			Permitted		Permitted			Permitted	
Hardware stores		Permitted	Permitted						
Building material, machinery, feed & seed stores		Permitted							
Building materials			Permitted						
Feed stores & farm supply stores			Permitted		Permitted			Permitted	
Feed & fuel			Permitted						
Lumber yard, including milling			Permitted						
Building & landscape maintenance (services)			Permitted						
Greenhouses (wholesale & retail)			Permitted		Permitted			Permitted	
General offices, professional offices & laboratories		Permitted							
Sales, public & administrative offices	Permitted								
Professional offices	Permitted			Conditional		Conditional			
Medical, dental & similar offices or clinics	Permitted								
Animal grooming					Conditional				
Animal hospitals, kennels & veterinary establishments		Conditional							
Veterinarians					Conditional				
Outdoor sales, including drive-in food & drive-through banking facilities	Conditional								
Swap meets			Permitted						

**Permitted and Conditional Uses in Guadalupe's Commercial and Industrial Districts**

Use	Citywide			Pasadera Only		Not Currently in Use		
	G-C	M-C	G-I	C-N	C-S	MIX	C-R	UR/I
Churches, meeting halls, theaters & auditoriums	Permitted							
Theaters				Conditional				
Bowling alleys					Conditional		Permitted	
Pool halls & billiards							Permitted	
Amusement arcades				Conditional			Permitted	
Athletic & health clubs (Athletic clubs, fitness centers)				Conditional	Conditional		Permitted	
Hot tubs as a commercial use							Permitted	
Commercial recreation activities, such as batting cages, roller skating & swimming pools							Permitted	
Golf course, driving range & club house							Permitted	
Advertising & related services			Permitted		Permitted			Permitted
Blueprinting or photocopying			Permitted					
Photocopying service (Photocopy services)			Permitted	Permitted	Permitted	Permitted		Permitted
Photofinishing, blueprinting			Permitted		Permitted			Permitted
Printing & publishing services			Permitted		Permitted			Permitted
Delivery & private postal services			Permitted		Permitted			Permitted
Equipment rental			Permitted		Permitted			Permitted
Machinery & equipment rental			Permitted					
Repair services				Conditional	Permitted			Permitted
Repair shops for small items	Permitted							
Ambulance service	Permitted	Permitted						
Taxi stand & bus depot	Permitted							
Public & private parking lots	Permitted							
Express offices, bus stations, shipping terminals		Permitted						
Homeless shelters				Conditional	Conditional			
Nursery schools/day care				Permitted		Permitted		
Mortuary	Permitted							
Hospitals, convalescent homes, boardinghouses, & family care homes or other group dwellings	Conditional							
Residential care facilities for 6 or more persons				Conditional				
Union halls, employment agencies		Permitted						

**Permitted and Conditional Uses in Guadalupe's Commercial and Industrial Districts**

Use	Citywide			Pasadera Only			Not Currently in Use		
	G-C	M-C	G-I	C-N	C-S	MIX	C-R	UR/I	
Agricultural industries, such as packing, canning & processing of agricultural products			Permitted						
Manufacture of food products			Permitted						
Food processing			Permitted						
Icemaking, cold storage or frozen-food processing facilities			Permitted						
Bakery (wholesale)			Permitted						
Bottling plants			Permitted						
Manufacturing								Conditional	
Light manufacturing			Permitted						
Boat building & repair			Permitted						
Box & container making or assembling (box manufacturing)		Permitted	Permitted						
Cabinet shop (Carpenter & woodworking shops)		Permitted	Permitted						
Carpet & rug cleaning plant			Permitted						
Ceramic product manufacture			Permitted						
Chemical or scientific laboratory			Permitted						
Drug & pharmaceutical manufacturing			Permitted						
Electrical & electronics equipment manufacturing			Permitted						
Garment manufacturing			Permitted						
Electric, plumbing, heating & sheet-metal shops		Permitted							
Machine shops		Permitted							
Welding		Permitted	Permitted						
Water softening			Permitted						
Other manufacturing uses not listed			Conditional						
Public utility & municipal & communication facilities									
Utilities, distribution plant or substation		Permitted	Permitted						

Permitted and Conditional Uses in Guadalupe's Commercial and Industrial Districts

Use	Citywide			Pasadera Only			Not Currently in Use		
	G-C	M-C	G-I	C-N	C-S	MIX	C-R	UR/I	
Shipping & transportation			Permitted						
Distribution businesses			Permitted						
Gas distributors (butane, oxygen, etc)					Conditional				
Warehousing/wholesaling, mini-storage, moving companies			Permitted		Permitted			Permitted	
Contractor's yard (Contractor storage yard)			Permitted		Permitted			Permitted	
Wholesale, storage & warehouse establishments		Permitted							
Salvage or storage yards, including auto wrecking		Conditional							
Bulk petroleum distribution plants		Conditional							
Any other similar use which the P.C. finds to be consistent with the purpose of the zoning district			Permitted						
Dwellings at a density of 4 dwellings/gross acre				Conditional					
Dwellings at a density of 6 dwellings/gross acre, & on the upper floors only						Conditional			
Single-family or multiple dwellings, only if located on floors above a permitted use	Permitted								
Dwellings which are not on a floor above a permitted use	Conditional								
Dwellings, limited to the use of a watchman or caretaker employed on the site (mobile or permanent)		Permitted							
Accessory buildings, only if constructed simultaneously with or subsequent to the main building on the same lot	Permitted								