

EXHIBIT A.3.

17.12 COMMERCIAL DISTRICTS

17.12.010 Purpose.

A. This chapter applies to all development in the Commercial Districts. The purpose of these zoning districts is to:

1. Allow a mixture of complementary land uses that may include retail, offices, commercial services, and civic uses, to create economic and social vitality;
2. Develop commercial areas that are safe, comfortable and attractive to pedestrians;
3. Protection of commercial and adjoining residential areas from excessive noise, illumination, unsightliness, odor, smoke, and the objectionable influences.
4. Provide flexibility in the location and design of new developments to anticipate changes in the market;
5. Reinforce streets as public places that encourage pedestrian and bicycle travel and connections to residential areas;
6. Provide both formal and informal community gathering places;
7. Provide employment opportunities for existing and future residents of the City and those of adjacent communities.
8. Provide visitor accommodations and tourism amenities.

A. The specific purpose of each individual commercial district is as follows:

1. C-N (Neighborhood Commercial). This district is intended to accommodate a limited range of neighborhood scale retail sales, business, dining, personal, and professional services conveniently located near residential areas.
2. C-G (General Commercial). This district is intended to accommodate a wide range of retail sales, business, dining, personal, and professional services, as well as entertainment and lodging.
3. C-D (Downtown Commercial). This district is intended to encourage the development of a large concentration of commercial, entertainment, and office uses in the central business area of the City, which will provide a focal point of activity for the City and the surrounding areas.
4. C-H (Highway Commercial). This district is intended to accommodate those business and retail uses which provide merchandise and services desired by motorists, directly

from or for motor vehicles. The C-H District is intended to promote a unified grouping of travel-oriented uses, such as fueling stations, regional retail, entertainment, dining and hotels.

5. C-BP (Business Park). This district is intended to facilitate a flexible administrative, medical, research, and office centers. The intent is to create, maintain, and support an environment for employment-generating businesses including administrative, professional office, limited industry, medical, research, and similar uses. It is also the intent to provide amenities, personal service, and convenient restaurant uses for people who work in the business park.
6. VS-C (Visitor-Serving Commercial). This district is intended to provide for areas appropriate for accommodations, goods, and services intended to serve primarily visitors to the City.

17.12.020 Permitted Uses.

- A. Table 17.14.01 lists the uses permitted in each of the Commercial and Visitor-Serving districts utilizing the following key:

“P” Use is permitted by right.

“A” Use is accessory to an established primary use.

“AUP” Use requires an Administrative Conditional Use Permit.

“CUP” Use requires a Conditional Use Permit.

“TUP” Use requires a Temporary Use Permit.

“--” Use is prohibited.

- B. Land uses listed in Table 17.12.01 use definitions from the North American Industry Classification System (NAICS) unless otherwise defined specifically by this Title. The individual land uses permitted in each of the mixed-use districts are grouped in Table 17.14.01 using the major land use categories of Commercial, Industrial, Institutional, Residential and Other.

**TABLE 17.12.01**  
**PERMITTED USES – COMMERCIAL AND VISITOR SERVING DISTRICTS**

USE	COMMERCIAL DISTRICTS						CODE SECTION
	C-N	C-G	C-D	C-H	C-BP	VS-C	
<b>BUSINESS, FINANCIAL, AND PROFESSIONAL OFFICE</b>							
Automated Teller Machines (ATMs) - Drive up	AUP	P	P	P	--	--	
Business Support Services	P	P	P	P	P	P	
Check Cashing and/or Payday Loans	--	P	CUP	--	--	--	
Financial Institutions and Related Services (without drive-through facilities)	P	P	P	P	P	P	
Office, Business and Professional	P	P	P	P	P	CUP	
<b>EATING AND DRINKING ESTABLISHMENTS</b>							
Bars, Lounges, Nightclubs, and Tasting Rooms	--	CUP	CUP	CUP	CUP	A	17.12.050
Food Preparation/Catering (no on-site sales or service)	AUP	P	P	P	P	A	
Restaurant - Full or Limited Service, Serving Alcohol	CUP	AUP	AUP	AUP	AUP	CUP	17.12.050
Restaurant – Full or Limited Service, No Alcohol Sales	P	P	P	P	P	P	
Restaurant with Drive-through Facilities	P	P	--	P	P	CUP	17.12.100
Snack Bar	A	A	A	A	A	A	
<b>INDUSTRY, MANUFACTURING AND PROCESSING, AND WAREHOUSING</b>							
Brewery, Winery, or Distillery	--	CUP	CUP	CUP	CUP	--	
Data Centers	--	--	--	--	AUP	--	
Hazardous Waste Facilities	--	--	--	--	--	--	
Food Processing	--	--	--	--	--	--	
Furniture and fixtures manufacturing, cabinet shops, and woodworking shops (wholesale sales only)	--	--	--	--	P	--	
Laboratory – Medical, Analytical, Research, Testing	--	--	--	--	AUP	--	
Laundries and Dry-Cleaning Plants	--	--	--	--	--	--	
Manufacturing - Heavy	--	--	--	--	--	--	
Manufacturing - Light	--	--	--	--	CUP	--	
<b>Recycling</b>							
Small Collection Facility	--	AUP	--	AUP	AUP	--	
Large Collection Facility	--	CUP	--	CUP	CUP	--	

**CITY OF DESERT HOT SPRINGS  
TITLE 17 – ZONING REGULATIONS**

USE	COMMERCIAL DISTRICTS						CODE SECTION
	C-N	C-G	C-D	C-H	C-BP	VS-C	
Light Processing	--	--	--	--	--	--	
Heavy Processing	--	--	--	--	--	--	
Reverse Vending Machine	A	A	A	A	A	A	
Research and Development	--	--	--	--	P	--	
Storage - Outdoor	--	--	--	--	CUP	--	
Warehouse, Wholesaling and Distribution	--	--	--	--	CUP	--	
<b>LODGING</b>							
Hotel and Motel (without spa)	--	CUP	CUP	P	CUP	P	
Spa Resort	--	--	--	CUP	CUP	P	
Homeless Shelters—up to 20 beds	--	--	--	--	CUP	--	
Homeless Shelters—more than 20 beds	--	--	--	--	CUP	--	
Low Barrier Navigation Center	--	--	--	--	--	P	
<b>MARIJUANA USES</b>							
Marijuana Delivery	--	--	--	CUP <sup>1</sup>	CUP <sup>1</sup>	--	1.) In Cultivation Overlay Zone, marijuana use cannot be a standalone use and must in center with other retail/commercial uses.
Marijuana Distribution	--	--	--	CUP <sup>1</sup>	CUP <sup>1</sup>	--	
Marijuana Cultivation	--	--	--	CUP <sup>1</sup>	CUP <sup>1</sup>	--	
Marijuana Manufacturing	--	--	--	CUP <sup>1</sup>	CUP <sup>1</sup>	--	
Marijuana Storefront Retail	CUP	CUP		CUP	CUP	--	17.180.040
Marijuana Testing Facilities	P	P	--	AUP	P	--	17.180.070
<b>MEDICAL-RELATED AND CARE USES</b>							
Ambulance Fleet	--	--	--	--	AUP	--	
Clinic and Urgent Care	--	AUP	--	AUP	AUP	--	
Day Care Center	--	--	--	--	--	--	17.12.090
Health Facilities, Therapy and Rehabilitation	--	CUP	--	AUP	P	--	
Hospital	--	CUP	--	CUP	CUP	--	
Office, Medical and Dental Office	P	P	P	P	P	CUP	
Residential Care Facilities	CUP	--	--	--	--	--	
<b>PUBLIC AND ASSEMBLY USES</b>							
Cultural Institutions	AUP	P	P	P	P	P	
Public Assembly Facilities	--	CUP	CUP	CUP	CUP	CUP	
Religious Assembly Facilities	--	CUP	CUP	CUP	CUP	CUP	
Schools, Private	CUP	CUP	CUP	--	CUP	--	
Trade and Vocational Schools	--	P	P	P	P	P	
Tutoring and Education Centers	P	P	P	P	P	P	

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	C-N	C-G	C-D	C-H	C-BP	VS-C	
<b>RECREATION AND ENTERTAINMENT</b>							
Art Gallery	P	P	P	P	P	P	
Arcade (Electronic Game Center)	CUP	AUP	AUP	AUP	AUP	--	
Commercial Recreation - Indoors	CUP	P	P	P	P	P	
Commercial Recreation - Outdoors	CUP	CUP	CUP	CUP	CUP	CUP	
Entertainment, Indoor	AUP	AUP	P	P	P	P	
Health/Fitness Facilities							
Health/Fitness Facilities – Small	AUP	P	P	P	P	P	
Health/Fitness Facilities - Large	CUP	CUP	CUP	CUP	CUP	CUP	
<b>RESIDENTIAL USES</b>							
Accessory Dwelling Unit	--	--	--	--	--	--	
Dwelling, Multifamily	--	--	--	--	--	CUP	17.12.140
Dwelling, Single-Family	--	--	--	--	--	--	
Home Occupations	--	--	--	--	--	--	
Single Room Occupancy (SRO)	--	--	--	--	--	--	17.08.200
Supportive Housing	--	--	--	--	--	--	
Transitional Housing	--	--	--	--	--	--	
<b>RETAIL USES</b>							
Alcohol Beverage Sales							
Alcohol Sales, for Off-Site Consumption	CUP	AUP	AUP	AUP	AUP	AUP	17.12.050
Alcoholic beverage sales, for on-site or off-site consumption, in conjunction with an allowed use	--	CUP	CUP	CUP	CUP	CUP	17.12.050
Building Materials and Services, Indoor	--	P	P	P	P	--	
Building Materials and Services, Outdoor	--	CUP	--	P	AUP	--	
Convenience Store, No Alcohol Sales	AUP	P	AUP	P	P	P	17.12.080
Farmers' Market	TUP	TUP	TUP	TUP	TUP	TUP	
Grocery Store	P	P	P	P	P	P	
Nurseries and Garden Centers	--	P	AUP	P	P	--	
Outdoor Temporary and/or Seasonal Sales	TUP	TUP	TUP	TUP	TUP	TUP	
Recreational Equipment Rentals – Indoor Only	P	P	P	P	P	A	
Retail Sales - General	P	P	P	P	P	P	
Retail Sales - Restricted	--	CUP	CUP	CUP	CUP	CUP	
Vehicle Sales and Rental	--	CUP	--	P	--	--	17.12.060

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USE	COMMERCIAL DISTRICTS						CODE SECTION
	C-N	C-G	C-D	C-H	C-BP	VS-C	
Large Vehicle, Construction, and Heavy Equipment Sales, Service, and Rental	--	CUP	--	--	CUP	--	
<b>SERVICE USES</b>							
Animal Care, Services							
Animal Boarding/Kennels, Grooming	AUP	P	AUP	P	P	CUP	
Veterinary Services, Large Animal	--	P	AUP	P	P	CUP	
Veterinary Services, Small Animal	AUP	P	P	P	P	CUP	
Funeral Parlors and Internment Services	--	AUP	--	--	AUP	--	
Instructional Services	P	P	P	P	P	P	
Maintenance and Repair Services - Indoor	P	P	P	P	P	CUP	
Moving Companies, Storage Allowed	--	--	--	--	AUP	--	
Personal Services, General	P	P	P	P	P	P	
Personal Services, Restricted	CUP	CUP	CUP	CUP	CUP	CUP	
Recording Studio	--	AUP	--	AUP	P	CUP	
Social Service Facilities	--	P	--	P	P	P	
<b>Storage</b>							
Storage - Personal	--	CUP	--	--	CUP	--	17.16.060
Storage – Outdoor Recreational Vehicle Storage	--		--	--	CUP	--	
<b>Vehicle Repair and Services</b>							
Service/Fueling Station	CUP	CUP	CUP	AUP	CUP	--	17.12.170
Vehicle Washing/Detailing	A	AUP	A	AUP	AUP	--	
Vehicle Service, Minor	--	AUP	--	P	P	--	
Vehicle Service, Major	--	--	--		CUP	--	
<b>TRANSPORTATION, COMMUNICATION, AND INFRASTRUCTURE USES</b>							
Car Sharing – Parking	AUP	AUP	AUP	AUP	AUP	AUP	
Parking Facility - Temporary	TUP	TUP	TUP	TUP	TUP	TUP	
Utility Facilities - Staffed	--	AUP	--	AUP	AUP	--	
Utility Facility - Unstaffed	AUP	AUP	--	AUP	AUP	AUP	
Vehicle Charging Stations - Commercial	AUP	P	P	P	P	P	
Vehicle Storage	--	--	--	--	CUP	--	
Wireless Communication Facilities - Minor	AUP	AUP	AUP	AUP	AUP	AUP	
Wireless Communication Facilities - Major	CUP	CUP	CUP	CUP	CUP	CUP	

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	C-N	C-G	C-D	C-H	C-BP	VS-C	
Wireless Telecommunication Facilities, Satellite Dish Antenna	P	P	P	P	P	P	
<b>OTHER USES</b>							
Caretaker Quarters	--	--	--	--	AUP	A	
Donation Boxes - Outdoors	--	--	--	--	CUP	--	
Drive-Through or Drive-Up Facilities	--	AUP	--	AUP	AUP	--	
Vending Machine	A	A	A	A	A	A	

### **17.12.280 Site Planning**

Placement of structures shall consider the existing built context of the commercial area, the location of incompatible land uses, the location of major traffic generators, and consideration of specific site characteristics and surrounding influences.

- A. Structures shall be sited in a manner that respects the orientation, privacy and access of adjacent structures.
- B. New structures shall be clustered unless site conditions prevent clustering, as determined by the responsible review authority. The purpose is to create plazas or pedestrian malls and prevent long “barracks like” rows of structures. When clustering is impractical, a visual link between separate structures shall be established. This link can be accomplished through the use of an arcade system, trellis, or other open structure.
- C. Structures and on-site circulation systems shall be placed and integrated to avoid pedestrian/vehicle conflicts. Textured paving, landscaping, and trellises shall be provided to physically and visually connect structures to the public sidewalk.
- D. The importance of spaces between structures as “outdoor rooms” on the site shall be emphasized through use of clear, recognizable shapes that reflect careful planning and are not simply left-over areas between structures. Such spaces shall provide pedestrian amenities such as shade, benches, fountains, etc.
- E. Freestanding, singular commercial structures shall be oriented with their major entry toward the street where access is provided, as well as having their major facade parallel to the street.
- F. Loading facilities shall be located at the rear of structures and not visible from a public right-of-way.
- G. Open space areas shall be clustered into larger, predominant landscape areas rather than be equally distributed into areas of low impact such as at building peripheries, behind a structure, or areas of little impact to the public view, where they are not required as land use buffer or as a required yard setback.
- H. Downtown Commercial Site Planning Standards. Development within a Downtown Commercial (CD) district shall be designed to:
  - 1. Provide direct pedestrian linkages to adjacent public sidewalks and trails.
  - 2. Create enhanced pedestrian connections throughout the project between commercial buildings and parking areas.
  - 3. Provide enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
  - 4. Incorporate architectural design elements and materials that relate to a pedestrian scale.
  - 5. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and park their vehicles only once.
  - 6. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian-scale elements (e.g., doors,



windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.

7. Provide a transition to adjacent lower-density residential uses by reducing building height and increasing building setbacks adjacent to the residential uses.