

## DOCKETED

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# CITY OF CARLSBAD ZONING ORDINANCE

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## Chapter 21.36 - P-U PUBLIC UTILITY ZONE

### Sections:

#### 21.36.010 - Intent and purpose.

The intent and purpose of the P-U zone is to provide for certain public utility and related uses subject to a precise development plan procedure to:

- (1) Insure compatibility of the development with the general plan and the surrounding developments;
- (2) Insure that due regard is given to environmental factors;
- (3) Provide for public improvements and other conditions of approval necessitated by the development.

(Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1390)

#### 21.36.020 - Permitted uses.

- A. In a P-U zone, notwithstanding any other provision of this title, only the uses listed in Table A, below, shall be permitted, subject to the requirements and development standards specified by this chapter, and subject to the provisions of Chapter 21.44 of this title governing off-street parking requirements.
- B. The uses permitted by conditional use permit, as indicated in Table A, shall be subject to the provisions of Chapter 21.42 of this title. Approval of a conditional use permit is required for the generation and transmission of electrical energy and shall require a finding by the city council that the use serves an extraordinary public purpose in addition to the other findings required for a conditional use found in Chapter 21.42
- C. A use similar to those listed in Table A may be permitted if the city planner determines such similar use falls within the intent and purposes of the zone, and is substantially similar to the specified permitted uses.
- D. A use category may be general in nature, where more than one particular use fits into the general category (ex. in some commercial zones "office" is a general use category that applies to various office uses). However, if a particular use is permitted by conditional use permit in another zone, the use shall not be permitted in this P-U zone (even under a general use category) unless it is specifically listed in Table A of this chapter as permitted or conditionally permitted.

### **Table A Permitted Uses**

In the table, below, subject to all applicable permitting and development requirements of the municipal code:

"P" indicates use is permitted. (See note 1 below)

"CUP" indicates use is permitted with approval of a conditional use permit. (See note 1 below)

1 = Administrative hearing process

2 = Planning commission hearing process

3 = City council hearing process

"Acc" indicates use is permitted as an accessory use.

Use	P	CUP	Acc
Accessory uses and structures			X
Airports		3	
Alcoholic treatment centers		2	
Aquaculture (defined: Section 21.04.036)		2	
Aquaculture stands (display/sale) (subject to Section 21.42.140(B)(10))		2	
Biological habitat preserve (subject to Section 21.42.140(B)(30)) (defined: Section 21.04.048)		2	
Campsites (overnight) (subject to Section 21.42.140(B)(40))		2	
Cemeteries		3	
Columbariums, crematories, and mausoleums (not within a cemetery)		2	
Crop production	X		
Energy transmission facilities, including rights-of-way and pressure control or booster stations for gasoline, electricity, natural gas, synthetic natural gas, oil or other forms of energy sources	X		
Fairgrounds		3	
Farmworker housing complex, small (subject to Section 21.10.125) (defined: Section 21.04.148.4)	X		
Floriculture	X		
Generation and transmission of electrical energy	X		

Golf courses		2	
Governmental maintenance and service facilities	X		
Greenhouses (2,000 square feet maximum)	X		
Greenhouses >2,000 square feet (subject to Section 21.42.140(B)(70))		1	
Hazardous waste facility (subject to Section 21.42.140(B)(75)) (defined: Section 21.04.167		3	
Hospitals (defined: Section 21.04.170		2	
Hospitals (mental) (defined: Section 21.04.175		2	
Mobile buildings (subject to Section 21.42.140(B)(90)) (defined: Section 21.04.265		2	
Nursery crop production	X		
Packing/sorting sheds >600 square feet (subject to Section 21.42.140(B)(70))		1	
Pasture and range land	X		
Petroleum products pipeline booster stations	X		
Processing, using and storage of: (a) natural gas, (b) liquid natural gas, (c) domestic and agricultural water supplies;	X		
Public utility district maintenance, storage and operating facilities	X		
Radio/television/microwave/broadcast station/tower		2	
Recreation facilities		2	
Recreational facilities (public or private, passive or active)	X		
Recycling collection facilities, large (subject to Chapter 21.105 of this title) (defined: Section 21.105.015		2	
Recycling collection facilities, small (subject to Chapter 21.105 of this title) (defined:		1	

Section 21.105.015			
Recycling process/transfer facility		2	
Satellite television antennae (subject to the provisions of Section 21.53.130 of this code)	X		
Signs, subject to the provisions of Chapter 21.41	X		
Stadiums		3	
Transit passenger terminals (bus and train)		2	
Tree farms	X		
Truck farms	X		
Using and storage of fuel oils	X		
Wastewater treatment, disposal or reclamation facilities	X		
Windmills (exceeding height limit of zone) (subject to Section 21.42.140(B)(160))		2	
Wireless communications facilities (subject to Section 21.42.140(B)(165)) (defined: Section 21.04.379)		1 / 2	
Zoos (private) (subject to Section 21.42.140(B)(170)) (defined: Section 21.04.400)		2	

Note:

1. Any use meeting the definition of an entertainment establishment, as defined in Section 8.09.020 of the Carlsbad Municipal Code (CMC), shall be subject to the requirements of CMC Chapter 8.09.

(Ord. NS-791 § 26 (part), 2006; Ord. 9804 § 6 (part), 1986; Ord. 9785 § 22, 1986; Ord. 9674 § 2 (part), 1983; Ord. 9507 § 4, 1978; Ord. 9441 § 1 (part), 1975; Ord. 9268 § 1 (part), 1971; Ord. 9060 § 1391)

(Ord. No. CS-102, § LXXXI, 8-24-2010; Ord. No. CS-170, §§ 4, 5, 1-1-2012; Ord. No. CS-189, §§ XLI, XLII, 10-2-2012; Ord. No. CS-250, § 3, 5-6-2014)

21.36.030 - Precise development plan.

No building permit or other entitlement for any use in the P-U zone shall be issued until a precise development plan has been approved for the property. The precise development plan may include provisions for any accessory use necessary to conduct any permitted use.

(Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1392)

#### 21.36.040 - Procedure.

An application for a precise development plan shall be made and processed in accord with the procedures for a zone change pursuant to Chapter 21.52 of this code, except that any council decision shall be final and need not be referred back to the planning commission.

(Ord. 9530 § 1, 1979; Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1393)

#### 21.36.050 - Conditions.

The city council may impose such conditions on the applicant and the plan as are determined necessary and consistent with the provisions of this chapter, the general plan and any specific plans that include provisions for, but are not limited to, the following:

- (1) Setbacks, yards and open space;
- (2) Special height and bulk of building regulations;
- (3) Fences and walls;
- (4) Regulation of signs;
- (5) Landscaping;
- (6) Special grading restrictions;
- (7) Requiring street dedication and improvements (or posting of bonds);
- (8) Requiring public improvements either on or off the subject site that are needed to service the proposed development;
- (9) Time period within which the project or any phases of the project shall be completed;
- (10) Regulation of points of ingress and egress;
- (11) Parking;
- (12) Regulation of the type, quality, distribution and use of reclaimed water, or reclaimed wastewater.

(Ord. 9551 § 1, 1980; Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1394)

#### 21.36.060 - Minimum lot area.

The minimum required area of a lot in the P-U zone shall be not less than seven thousand five hundred square feet.

(Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1395)

#### 21.36.070 - Lot coverage.

All buildings and structures, including accessory buildings and structures, shall cover no more than fifty percent of the area of the lot.

(Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1396)

#### 21.36.080 - Parking and loading areas.

No parking or loading area shall be located:

- (1) In a front, side or rear yard adjoining a street;
- (2) Within ten feet of an interior side or rear property line.

(Ord. 9441 § 1 (part), 1975)

#### 21.36.090 - Landscaping required.

Except for approved ways of ingress and egress and parking and loading areas, all required yards shall be:

- (1) Permanently landscaped with one or a combination of more than one of the following: lawn, shrubs, trees and flowers;
- (2) Served by a water irrigation system and supplied with bubblers and sprinklers.

No walls or fences over four feet in height may be constructed in any area where landscaping is required.

(Ord. 9441 § 1 (part), 1975)

#### 21.36.100 - Final precise development plan.

After approval, the applicant shall submit a reproducible copy of the precise development plan which incorporates all requirements of the approval to the city manager for signature. Prior to signing the final precise development plan, the city manager shall determine that all applicable requirements have been incorporated into the plan and that all conditions of approval have been satisfactorily met or otherwise guaranteed.

The final signed precise development plan shall be the official site layout plan for the property and shall be attached to any application for a building permit on the subject property.

(Ord. 9441 § 1 (part), 1975)