

Carlsbad Municipal Code

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- A. In a C-1 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.
- 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 C-1 neighborhood commercial 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 = Minor Conditional Use Permit (Process One), pursuant to Chapter [21.42](#) of this title.

2 = Conditional Use Permit (Process Two), pursuant to Chapter [21.42](#) of this title.

3 = Conditional Use Permit (Process Three), pursuant to Chapter [21.42](#) of this title.

“Acc” indicates use is permitted as an accessory use.

Use	P	CUP	Acc
Accountants	X		
Adult and/or senior daycare and/or recreation facility (private/non-private)		1	
Alcoholic treatment centers		2	
Amusement parks		3	
Arcades—coin-operated (subject to Section 21.42.140(B)(15) ; defined: Section 21.04.091)		1	
Athletic clubs, gymnasiums, health clubs, and physical conditioning businesses	X		
Attorneys	X		
Banks and other financial institutions without drive-thru facilities	X		

Use	P	CUP	Acc
Bakeries	X		
Barbershops or beauty parlors	X		
Biological habitat preserve (subject to Section 21.42.140(B)(30) ; defined: Section 21.04.048)		2	
Book or stationery stores	X		
Child day care centers, subject to the provisions of Chapter 21.83 of this title	X		
Churches, synagogues, temples, convents, monasteries, and other places of worship		2	
Clubs—nonprofit, business, civic, professional, etc. (defined: Section 21.04.090)		1	
Columbariums, crematories, and mausoleums (not within a cemetery)		2	
Delicatessen (defined: Section 21.04.106)	X		
Doctors, dentists, optometrists, chiropractors and others practicing the healing arts for human beings, and related uses such as oculists, pharmacies (prescription only), biochemical laboratories and x-ray laboratories	X		
Dressmaking or millinery shops	X		
Drive-thru facility (not restaurants)		1	
Drugstores	X		
Dry goods or notion stores	X		
Educational facilities, other (defined: Section 21.04.137)	X		
Educational institutions or schools, public/private (defined: Section 21.04.140)		2	
Engineers, architects and planners	X		
Fairgrounds		3	
Farmworker housing complex, small (subject to Section 21.10.125 ; defined: Section 21.04.148.4)		1	
Florist shops	X		
Fortunetellers, as defined in Section 5.50.010	X		
Gas stations (subject to Section 21.42.140(B)(65))		2	
Greenhouses > 2,000 square feet (subject to Section 21.42.140(B)(70))		1	
Grocery or fruit stores	X		
Hardware stores	X		
Hospitals (defined: Section 21.04.170)		2	
Hospitals (mental) (defined: Section 21.04.175)		2	
Hotels and motels (subject to Section 21.42.140(B)(80))		3	
Institutions of a philanthropic or eleemosynary nature, except correctional or mental	X		
Jewelry stores	X		
Laundries or clothes cleaning agencies	X		
Laundromats	X		

Use	P	CUP	Acc
Liquor store (subject to Section 21.42.140(B)(85) ; defined: Section 21.04.203)		2	
Meat markets	X		
Mobile buildings (subject to Section 21.42.140(B)(90) ; defined: Section 21.04.265)		1	
Outdoor dining (incidental) (subject to Section 21.26.013 ; defined: Section 21.04.290.1)			X
Packing/sorting sheds > 600 square feet (subject to Section 21.42.140(B)(70))		1	
Paint stores	X		
Parking facilities (primary use) (i.e., day use, short-term, nonstorage)		1	
Pawnshops (subject to Section 21.42.140(B)(105))		3	
Pet supply shops	X		
Pool halls, billiards parlors (subject to Section 21.42.140(B)(110) ; defined: Section 21.04.292)		2	
Private clubs, fraternities, sororities and lodges, excepting those the chief activity of which is a service customarily carried on as a business	X		
Public meeting halls, exhibit halls, and museums		2	
Public/quasi-public buildings and facilities and accessory utility buildings/facilities (defined: Section 21.04.297)		2	
Racetracks		3	
Radio/television/microwave/broadcast station/tower		2	
Realtors	X		
Recreation facilities		1	
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: Section 21.105.015)		1	
Religious reading room (separate from church)		1	
Residential uses (subject to Section 21.26.015 of this title)	X		
Restaurants (bona fide public eating establishment) (defined: Section 21.04.056)	X		
Restaurants (excluding drive-thru restaurants), tea rooms or cafes (excluding dancing or entertainment and on-sale liquor)	X		
Satellite television antennae (subject to Section 21.53.130—21.53.150 ; defined: Section 21.04.302)			X
Shoe stores or repair shops	X		
Signs (subject to Chapter 21.41)			X
Stadiums		3	
Tailors, clothing or wearing apparel shops	X		
Tattoo parlors (subject to Section 21.42.140(B)(140))		3	

Use	P	CUP	Acc
Theaters (motion picture or live) — Indoor		2	
Theaters, stages, amphitheaters — Outdoor		3	
Thrift shops (subject to Section 21.42.140(B)(150))		1	
Transit passenger terminals (bus and train)		2	
Veterinary clinic/animal hospital (small animals) (defined: Section 21.04.378)		1	
Welfare and charitable service (private or semi-private) with no permanent residential uses (i.e., Goodwill, Red Cross, Traveler’s Aid)		1	
Windmills (exceeding height limit of zone) (subject to Section 21.42.140(B)(160))		2	
Wireless communication facilities (subject to Section 21.42.140(B)(165) ; defined: Section 21.04.379)		1 / 2	
Youth organizations (e.g., Boy Scouts, Girl Scouts, Boys and Girls Clubs, YMCA, YWCA, except lodgings)		1	

Note:

- 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. CS-225 § II, 2013; Ord. CS-224 § XXII, 2013; Ord. CS-189 §§ XXIII, XXIV, 2012; Ord. CS-172 § II, 2012; Ord. CS-164 § 10, 2011; Ord. CS-102 §§ XLIII—XLV, 2010; Ord. NS-791 § 19, 2006; Ord. NS-439 § 2, 1998; Ord. NS-409 § 12, 1997; Ord. 9804 § 6, 1986; Ord. 9800 § 9, 1986; Ord. 9785 § 15, 1986; Ord. 6077 § 3, 1985; Ord. 9674 § 2, 1983; Ord. 9527 § 3, 1979; Ord. 9426 § 1, 1975; Ord. 9135 § 1; Ord. 9060 § 1000)

21.26.013 Outdoor dining (incidental).

- Subject to the requirements of this section, outdoor dining (incidental) may be established as part of any business that serves food and/or beverages for onsite consumption, such as but not limited to restaurants, bona fide eating establishments and delicatessens.
- If the proposed outdoor dining (incidental) is located in the coastal zone and is not exempt from a coastal development permit by Chapter [21.201](#) of this title, approval of a coastal development permit or minor coastal development permit, processed in accordance with Chapter [21.201](#), shall be required.
- Development Standards. All areas providing outdoor dining (incidental) shall comply with the following development standards:
 - Outdoor dining areas shall comply with all applicable requirements of the State of California Disabled Access Regulations (Title 24);
 - Outdoor dining areas shall comply with all applicable requirements of the alcoholic beverage commission, if alcoholic beverages are served in the outdoor area;
 - Outdoor dining areas shall be operated only during the hours of operation of the associated business;
 - Outdoor dining areas shall be used exclusively for eating and drinking;
 - Outdoor dining areas shall be located on private property only;

6. Outdoor dining areas shall provide adequate circulation to accommodate normal pedestrian traffic and circulation for the outdoor dining area. Pedestrian clearance between tables and/or walls/fences shall be a minimum forty-two inches wide;
7. The maximum area provided for outdoor dining (incidental) shall be limited to a maximum of four hundred square feet;
8. Outdoor dining areas shall not be located where the incidental outdoor dining area would:
 - a. Encroach into the public right-of-way;
 - b. Eliminate any existing required parking spaces;
 - c. Remove or reduce existing landscaping (unless equivalent additional landscaping is provided elsewhere to the satisfaction of the city planner);
 - d. Present a traffic or pedestrian hazard; or
 - e. Be located where the nearness, volume or speed of vehicular traffic would be incompatible with outdoor dining, in the opinion of the city engineer;
9. When calculating square footage for purposes of determining parking required per Chapter [21.44](#) of this code, space used for outdoor dining (incidental) pursuant to this section shall be excluded. (Ord. CS-178 § XVIII, 2012; Ord. CS-164 § 10, 2011; Ord. CS-102 § XLVI, 2010; Ord. NS-492 § 2, 1999)

[21.26.015 Residential uses.](#)

Mixed use developments that propose residential uses in combination with commercial uses shall comply with the following requirements.

- A. Residential uses shall be located above the ground floor of a multi-storied commercial building with one or more of the nonresidential uses permitted by Section [21.26.010](#) of this title located on the ground floor.
- B. Residential uses shall be subject to the requirements of the chapters of this title, which include but are not limited to, Chapter [21.26](#), Chapter [21.44](#), and in the case of airspace subdivisions, Chapter [21.47](#).
- C. Residential uses shall be constructed at a minimum density of 15 dwelling units per acre, per Table 2-4 of the general plan land use and community design element, subject to approval of a site development plan processed in accordance with Chapter [21.06](#) of this title.
 1. Density and yield of residential uses shall be determined consistent with the residential density calculations and residential development restrictions in Section [21.53.230](#) of this title and shall be based on 25% of the developable area. Unit yield in excess of the minimum shall be subject to the finding in subsection 2 below. In no case shall the calculation preclude the development of at least one dwelling unit in a mixed use development.
 2. Residential uses shall be secondary and accessory to the primary commercial use of the site. Compliance with this provision shall be evaluated as part of the site development plan.
- D. Residential uses shall include residential care facilities (serving six or fewer persons), supportive housing, and transitional housing. (Ord. CS-287 § 2, 2015; Ord. CS-249 § XII, 2014; Ord. CS-191 § XIV, 2012; Ord. CS-172 § III, 2012)

[21.26.020 Limitations on permitted uses.](#)

Every nonresidential use permitted shall be subject to the following conditions and limitations:

1. All uses shall be conducted wholly within a building except such uses as gasoline stations, electrical transformer substations, nurseries for sale of plants and flowers and other enterprises customarily conducted in the open;
2. Products made incident to a permitted use shall be sold only at retail on the premises, and not more than five persons may be employed in the manufacturing, processing and treatment of products permitted herein;
3. Storage shall be limited to accessory storage of commodities sold at retail on the premises. (Ord. CS-172 § IV, 2012; Ord. NS-492 § 3, 1999; Ord. NS-439 § 3, 1998; Ord. 9224 § 2, 1969; Ord. 9060 § 1001)

21.26.030 Building height.

- A. Except as otherwise provided in this section, no building within the C-1 zone shall exceed a height of 35 feet, including the protrusions described in Section [21.46.020](#).
- B. Purely architectural features such as flagpoles, steeples or architectural towers may be permitted to a maximum of 45 feet through approval of a minor site development plan processed in accordance with the provisions of Chapter [21.06](#) of this title, provided that the decision-making authority makes the specific findings that the protruding architectural features:
 1. Do not function to provide usable floor area;
 2. Do not accommodate and/or screen building equipment;
 3. Do not adversely impact adjacent properties; and
 4. Are necessary to ensure a building's design excellence. (Ord. CS-178 § XIX, 2012; Ord. NS-240 § 2, 1993; Ord. NS-180 § 16, 1991; Ord. 9060 § 1002)

21.26.040 Front yard.

No front yard shall be provided except as may be required by a precise plan. (Ord. 9060 § 1003)

21.26.050 Side yards.

Unless otherwise required by a precise plan, no side yard need be provided. (Ord. 9060 § 1004)

21.26.060 Placement of buildings.

On any lot, the rear lot line of which abuts property in any "R" zone and no alley intervenes, no buildings shall be erected closer than 10 feet to the rear lot line; provided further, if such a lot abuts upon an alley, no building shall be erected closer than five feet to the rear lot line of such lot. (Ord. 9060 § 1005)

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