

Carlsbad Municipal Code

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## Chapter 21.29 C-T COMMERCIAL TOURIST ZONE

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### Note

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\* **Prior ordinance history:** Ord. Nos. 9478, 9674, 9785, 9800, NS-18, NS-180, NS-240, NS-439, and NS-492.

### 21.29.010 Intent and purpose.

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- A. The intent and purpose of the C-T commercial tourist zone is to:
1. Implement the travel/recreation commercial (TR) land use designation of the Carlsbad general plan;
  2. Provide for the development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business and industrial centers; and
  3. Provide regulations and development standards to ensure such uses are compatible with and designed to protect surrounding properties, ensure safe traffic circulation, and promote economically viable tourist-oriented areas of the city. (Ord. NS-769 § 2, 2005)

### 21.29.020 Location.

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It is intended that the C-T commercial tourist zone be placed on properties located near major transportation corridors or recreation areas as designated by the general plan and any applicable specific plans. (Ord. NS-769 § 2, 2005)

### 21.29.030 Permitted uses.

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- A. In the C-T zone, only the uses listed in Table A, below, shall be permitted, subject to the requirements and development standards specified by this chapter.
- 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 this 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 “offices” 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-T 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.

“CUP” indicates use is permitted with approval of a conditional use permit.

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/structures, which are customarily appurtenant to a permitted use (e.g., incidental storage facilities) (see note 1, below) (defined: Section <a href="#">21.04.020</a> )			X
Airports		3	
Amusement parks		3	
Aquaculture (defined: Section <a href="#">21.04.036</a> )		2	
Aquariums		2	
Arcades (coin-operated) (subject to Section <a href="#">21.42.140(B)(15)</a> ; defined: Section <a href="#">21.04.091</a> )		1	
Art galleries	X		
Athletic clubs, gymnasiums, health clubs	X		
ATM kiosks (see note 1, below)			X
Automobile rental (no auto repair)	X		
Bait shops (accessory to a recreation facility)		1	
Bars, cocktail lounges (subject to Section <a href="#">21.42.140(B)(20)</a> ; defined: Section <a href="#">21.04.041</a> )		2	
Bed and breakfasts (subject to Section <a href="#">21.42.140(B)(25)</a> ; defined: Section <a href="#">21.04.046</a> )		1	
Biological habitat preserve (subject to Section <a href="#">21.42.140(B)(30)</a> ; defined: Section <a href="#">21.04.048</a> )		2	
Boat launching/docking facilities		2	
Botanical gardens	X		
Bowling alley, subject to Section <a href="#">21.42.140(B)(35)</a> ; defined: Section <a href="#">21.04.057</a> )		2	
Campsites (overnight) (subject to Section <a href="#">21.42.140(B)(40)</a> )		2	
Car wash (accessory to an automobile service station), subject to Section <a href="#">21.42.140(B)(45)</a> )		2	
Cemeteries		3	
Churches, synagogues, temples, convents, monasteries, and other places of worship		2	
Commercial artisan studios/retail (e.g., jewelry arts, painting, pottery, glass blowing, etc.)	X		
Cultural activities and facilities		2	
Delicatessen (defined: Section <a href="#">21.04.106</a> )	X		
Drive-thru facilities (not restaurant)		2	

Use	P	CUP	Acc
Educational institutions or schools, public/private (defined: Section <a href="#">21.04.140</a> )		2	
Entertainment activities and facilities		2	
Fairgrounds		3	
Farmers markets		2	
Farmworker housing complex, small (subject to Section <a href="#">21.10.125</a> ) (defined: Section 21.04.148.4)		1	
Florists	X		
Food stores (specialty) (e.g., ice cream, candy, deli, bakery, pastry shop, fish market)	X		
Gas stations (subject to Section <a href="#">21.42.140(B)(65)</a> )		2	
Golf courses (see note 2, below)		2	
Greenhouses > 2,000 square feet (subject to Section <a href="#">21.42.140(B)(70)</a> )		1	
Grocery/produce/convenience stores (not to exceed 2,500 sq. ft.)	X		
Hotels/motels	X		
Mobile buildings (temporary) (subject to Section <a href="#">21.42.140(B)(90)</a> ; defined: Section <a href="#">21.04.265</a> )		2	
News/magazine stands (see note 1, below)			X
Nightclubs, dance clubs, and other establishments that play live or recorded music or make regular use of amplified sound		2	
Outdoor dining (incidental), subject to Section <a href="#">21.26.013</a>	X		
Packing/sorting sheds > 600 square feet, subject to Section <a href="#">21.42.140(B)(70)</a>		1	
Parking facilities (primary use) (i.e. day use, short-term, nonstorage)		2	
Photography equipment sales/services (cameras, supplies, film development)	X		
Pool halls/billiard parlors (subject to Section <a href="#">21.42.140(B)(110)</a> ; defined: Section <a href="#">21.04.292</a> )		2	
Produce stands		1	
Public meeting halls, exhibit halls, and museums		2	
Public/quasi-public buildings and facilities and accessory utility buildings/facilities (defined: Section <a href="#">21.04.297</a> )		2	
Racetracks		2	
Radio/television/microwave/broadcast station/tower		2	
Recreation facilities		2	
Recycling collection facilities (small) (subject to Chapter <a href="#">21.105</a> ; defined: Section <a href="#">21.05.015</a> )		1	
Recycling collection facilities (large) (subject to Chapter <a href="#">21.105</a> ; defined: Section <a href="#">21.05.015</a> )		2	
Restaurants, cafes, coffee shops, including take-out only (no drive-thru)	X		
		2	

Use	P	CUP	Acc
Restaurants (located adjacent to residentially developed or designated property, no drive-thru)			
Retail (specialty - catering to tourists) (e.g., antique stores, bookstores, souvenir/gift/novelty shops, specialty apparel shops)	X		
Satellite TV antennas (subject to Sections <a href="#">21.53.130</a> through <a href="#">21.53.150</a> [see note 1, below]; defined: Section <a href="#">21.04.302</a> )			X
Services (personal), limited to drycleaners, laundromats, and personal grooming (e.g., barbershops, beauty salons, day spas)	X		
Signs, subject to Chapter <a href="#">21.41</a> (see note 1, below) (defined: Section <a href="#">21.04.305</a> )			X
Sporting equipment/apparel sales/rental	X		
Stadiums		3	
Theaters (motion picture or live) - Indoor		2	
Theaters, stages, amphitheaters - Outdoor		2	
Time-share projects (subject to Section <a href="#">21.42.140(B)(155)</a> ; defined: Section <a href="#">21.04.357</a> )		3	
Tourist information centers	X		
Transit passenger terminals (bus and train)		2	
Travel agencies	X		
Vacation rental office	X		
Video rental/sales	X		
Windmills (exceeding height limit) (subject to Section <a href="#">21.42.140(B)(160)</a> )		2	
Wireless communication facilities (subject to Section <a href="#">21.42.140(B)(165)</a> )		1 / 2	
Zoos (private) (subject to Section <a href="#">21.42.140(B)(170)</a> )		2	

**Notes:**

1. Accessory uses shall be developed as an integral part of a permitted use within or on the same structure or parcel of land.
2. A conditional use permit is not required for a golf course if it is approved as part of a master plan for a planned community development.

(Ord. CS-189 §§ XXIX, XXX, 2012; Ord. CS-164 § 10, 2011; Ord. NS-791 § 22, 2006; Ord. NS-769 § 2, 2005)

**21.29.040 Building height.**

A. No building in the C-T zone shall exceed a height of thirty-five feet or three levels, and allowed height protrusions as described in Section [21.46.020](#) shall not exceed forty-five feet. Additional building height may be permitted to a maximum of forty-five feet through a site development plan approved by the city council provided that:

1. The building does not contain more than three levels;

2. All required setbacks shall be increased at a ratio of one horizontal foot for every one foot of vertical construction beyond thirty-five feet. The additional setback area will be maintained as landscaped open space;
3. The building conforms to the requirements of Section [18.04.170](#) of this code; and
4. The allowed height protrusions as described in Section [21.46.020](#) do not exceed forty-five feet; with the exception of architectural features such as flagpoles, steeples or architectural towers which may be permitted up to fifty-five feet if the council makes the specific findings that the protruding architectural features:
  - a. Do not function to provide usable floor area;
  - b. Do not accommodate and/or screen building equipment;
  - c. Do not adversely impact adjacent properties; and
  - d. Are necessary to ensure a building's design excellence. (Ord. NS-769 § 2, 2005)

#### [21.29.050 Placement of buildings.](#)

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On any lot where the side or rear lot line abuts property in any R zone and no alley intervenes, no building shall be erected closer than ten feet to such 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. NS-769 § 2, 2005)

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