

EXHIBIT A

ZONING ORDINANCE AMENDMENT NO. 2021-03

**AMENDMENT TO CHAPTERS 17.08 (DEFINITIONS), 17.20
(USES BY ZONE), AND 17.28 (STANDARDS FOR SPECIFIC
USES) OF TITLE 17 (ZONING) OF THE MOORPARK
MUNICIPAL CODE**

Chapter 17.08 (Definitions) of Title 17 (Zoning) shall be amended to include the following additional definitions, inserted with the existing definitions in alphabetical order:

“Array of merchandise or menu” means 50 percent or more of in-stock merchandise or menu items.

“Color scheme” means the selection of colors used throughout, such as on the furnishings, wall coverings, or as used on the facade. Standardized lighting is considered part of the color scheme.

“Chain Store” means any type of retail sales activity and/or retail service activity conducted within a retail establishment which, along with ten (10) or more existing operational retail establishments in the world, maintains two or more of the following features: 1) standardized array of merchandise or menu; 2) standardized color scheme; 3) standardized decor; 4) standardized facade; 5) standardized layout; 6) standardized sign, servicemark, or trademark; or 7) uniform apparel.

“Decor” means the style of interior finishes such as the style of furniture, wall coverings, or permanent fixtures.

“Facade” means the face of the front of a building or tenant space oriented onto a street or public open space. Awnings are considered part of the facade.

“Layout” means the interior arrangement of furniture, service area, or permanent fixtures.

“Servicemark” means a word, phrase, symbol, or design, or a combination of words, phrases, symbols, or designs that identifies and distinguishes the source of a service from one party from those of others.

“Trademark” means a word, means a word, phrase, symbol, or design, or a combination of words, phrases, symbols, or designs that identifies and distinguishes the source of a service from one party from those of others.

“Uniform apparel” means standardized items of clothing such as aprons, pants, shirts, dresses, hats and pins (other than name tags), as well as standardized colors

of clothing.

“Retail establishment” means a commercial establishment that provides goods and/or services directly or indirectly to the consumer such as general retail, eating and drinking places, beauty, personal services, professional office, amusement, health, fitness and galleries.

**17.20.060
PERMITTED USES IN COMMERCIAL AND INDUSTRIAL ZONES**

[Blank] = Not permitted
 AP = Administrative Permit
 CUP = Conditional Use Permit
 NZC = No Zoning Clearance required
 TUP = Temporary Use Permit
 ZC = Permitted by Zoning Clearance

Tables 17.20.060, Section A of the Municipal Code shall be amended as shown below wherein underline indicates added text:

Zones	C-O	C-1	CPD C-2	C- OT ¹	M-1	M-2	I
A. Retail and Service Uses							
1. Adult businesses when in compliance with Sections 17.24.040(N), 17.78.050 and Chapter 5.18					ZC	ZC	
2. Alcoholic beverage sales for off-site consumption when in conjunction with another city-approved retail or service use other than automobile service station or liquor store							
a. Beer and/or wine (*if within one hundred [100] feet of a residentially zoned property a conditional use permit is required)		CUP	AP*	AP*	AP*	AP*	
b. Beer, wine and other alcoholic beverages		CUP	CUP	CUP	CUP	CUP	
3. Automobile/light truck/motorcycle							
a. Brakes, oil changes, tires and shock sales and installation, tune-ups and other light service and repair (with or without hydraulic lifts) (*if within one hundred [100] feet of a residentially zoned property a conditional use permit is required)		CUP	AP*		AP*	AP*	
b. Car washes, self-service or automatic with or without automotive services stations			CUP			CUP	
c. Engine rebuilding, transmission repair, steam cleaning, auto body, painting					CUP	CUP	
d. Parts and supplies		ZC	ZC		ZC	ZC	
e. Rental			AP		AP	AP	
f. Sales, with or without service and parts			CUP		CUP	CUP	
g. Service stations with or without mini-marts and with or without beer and wine sales for off-site consumption			CUP			CUP	
4. Body piercing and/or tattoo			CUP				

Zones	C-O	C-1	CPD C-2	C-OT ¹	M-1	M-2	I
5. Building supplies (*if within one hundred [100] feet of a residentially zoned property a conditional use permit is required)			AP*	CUP		CUP	
6. Hay and feed sales				CUP		CUP	
7. Hotels, motels and bed and breakfast inns when in compliance with Chapter 5.44	CUP	CUP	CUP	CUP			
8. Kennels and catteries					CUP	CUP	
9. Liquor stores (when located no closer than one thousand [1,000] feet of any other liquor store or public or private school)		CUP	CUP	CUP			
10. Commercial cannabis activity							
11. Nurseries (retail) with or without container grown plants when all equipment and supplies kept in an enclosed area			AP				
12. Nurseries (wholesale and/or retail) with or without container grown plants when all equipment and supplies kept in an enclosed area						AP	
13. Pawnshops when in compliance with Chapter 5.32			AP				
14. Pest control services (*if within 100 feet of a residentially zoned property a conditional use permit is required)					AP*	AP*	
15. Private post offices, parcel services, copy centers	ZC	ZC	ZC	ZC			
16. Psychics, fortunetelling, and spiritual advisors when in compliance with Title 5 of the Moorpark Municipal Code (*if within 100 feet of a residentially zoned property a conditional use permit is required)	CUP	CUP	AP*				
17. Recreational vehicle storage yards when not located on parcels adjacent to arterial roads or freeways as shown on the Moorpark Circulation Element Highway Network Map and with or without a caretaker dwelling						CUP	
18. Recycling centers			CUP		CUP	CUP	
19. Recycling drop-off bins when located in an area determined by the community development director not to be in conflict with parking, vehicle or pedestrian circulation	ZC	ZC	ZC	ZC	ZC	ZC	
20. Rental and leasing of large equipment with or without outdoor storage and repair (*if within one hundred [100] feet of a residentially zoned property a conditional use permit is required)					AP*	AP*	
21. Retail shops and personal service establishments, except as otherwise indicated in this table, including, but not limited to, antiques, art and craft dealers and supplies, bakeries, barbers, beauty salons, bicycle sales/service, books and stationery, camera/photo stores including on-site processing, carpet and flooring sales/cleaning/installation, clothing and fabric stores, computer sales and service, department and variety stores, dry cleaners, electronic equipment sales and service, florists, food markets, gift and novelty stores, hardware and tool stores, home and office furniture and equipment sales, home appliance sales and service, housewares sales,		ZC	ZC	ZC			

Zones	C-O	C-1	CPD C-2	C-OT ¹	M-1	M-2	I
jewelry stores, key and locksmiths, music stores (including recorded music and musical instrument sales, service, and lessons), newsstands, paint stores, party supply sales and rental, pet grooming, pet sales and supplies, pharmacies, photography studios, pool and spa sales and supplies, shoe stores, sporting goods and equestrian supplies, small equipment rental (no outdoor storage), toy and hobby stores, video/DVD/CD sales and rental, wireless sales/service, and uses which the community development director determines to be similar when in compliance with Section 17.20.030							
22. Retail sales combined with limited distribution and/or warehousing not exceeding 40% of gross floor area of the building in which it is located (*if within 100 feet of a residentially zoned property a conditional use permit is required)			AP*				
23. Retail sales in the M-1 and M-2 zone limited to a maximum of 20% of the gross floor area of the building in which it is located. In an industrial complex the 20% shall be computed on the basis of the cumulative total floor area of the industrial planned development (IPD)					AP	AP	
24. Retail sales (temporary) in the M-1 and M-2 zones. Issuance of a temporary use permit shall take the place of a zoning clearance					TUP	TUP	
25. Thrift stores, secondhand shops, consignment stores when in compliance with Chapter 5.32			AP	AP			
26. Tobacco sales							
a. Retail smoking products stores, as defined in Chapter 8.32			CUP				
b. Sale of tobacco products and electronic cigarette (vaping) products from retail establishments other than retail smoking products stores		AP	AP	AP		AP	
c. Smoking and vaping lounges where tobacco and vaping products are sold for on-site consumption (e.g., cigar lounges, hookah lounges, vaping lounges) other than retail smoking products stores							
27. Industrial Hemp							
a. Industrial hemp product retail sales, stand-alone retail store (*consistent with the requirements of Chapter 17.28.080)	ZC	ZC	ZC	ZC			
b. Industrial hemp product retail sales, accessory (sales display area limited to a maximum of 5% of the retail floor area of the establishment in which it is located)	NZC	NZC	NZC	NZC			
B. Eating and Drinking Places							
1. Bars with or without entertainment including, but not limited to, cocktail lounges, cabarets			CUP	CUP	CUP	CUP	
2. Breweries, micro breweries, wineries/tasting rooms with or without restaurant and with or without outdoor seating and with or without entertainment			CUP	CUP	CUP	CUP	
3. Restaurants and similar establishments engaged primarily in the retail sale of prepared food for on-site or							

Zones	C-O	C-1	CPD C-2	C-OT ¹	M-1	M-2	I
off-site consumption in accordance with the restrictions below:							
a. With or without entertainment and with or without on-site consumption of beer and wine and other alcoholic beverages and with or without outdoor seating (*if within 100 feet of a residentially zoned property a conditional use permit is required)		CUP	AP*	AP*	AP*	AP*	
b. With drive-in or drive-through facilities (sale of alcoholic beverages from the drive-in or drive-through facilities is prohibited) with or without outdoor seating (Only permitted in the CPD Zone)			CUP				
C. Office and Professional Uses							
1. Financial services							
a. Banks and other financial institutions, except those set forth below	ZC	ZC	ZC	ZC	ZC		
b. Check cashing, payday loan, and vehicle title loan establishments (Only permitted in CPD Zone)			AP				
c. Automated/automatic teller machines (ATMs)	ZC	ZC	ZC	ZC	AP		
2. Laboratories: research and scientific	AP				AP	AP	
a. Industrial hemp research and testing laboratory	CUP				CUP		
3. Professional and administrative offices, including, but not limited to: accounting, advertising agencies, chiropractic, collection services; dental, direct mail marketing companies, employment agencies, engineering services, insurance, investment; medical, optical and related health services; planning services, real estate services; secretarial services, travel agencies, and uses which the community development director determines to be similar when in compliance with Section 17.20.030	ZC	ZC	ZC	ZC	ZC	ZC	
4. Veterinary offices and animal hospitals							
a. Without boarding (keeping of animals indoors and on-site for medical purposes shall not be considered boarding)	AP	AP	AP	AP	AP	AP	
b. With boarding indoors or outdoors			CUP		CUP	CUP	
5. Massage establishments when in compliance with Chapter 5.48 of the Moorpark Municipal Code							
a. Massage establishments with 4 or more massage stations, or where 20% or more of the floor area is dedicated to massage services (Only permitted in the CPD Zone)			CUP				
b. Massage establishments at day spas, salons, or similar uses with 3 or fewer massage stations, provided that less than 20% of the floor area is dedicated to massage services	ZC	ZC	ZC	ZC			
D. Manufacturing, Assembly, Distribution, and Warehousing Uses							
1. Cement, concrete and plaster, and product fabrication						CUP	
2. Distribution and transportation facilities					CUP	CUP	
3. Heavy machinery repair, including trucks, tractors and buses						CUP	

Zones	C-O	C-1	CPD C-2	C- OT ¹	M-1	M-2	I
4. Manufacturing and assembly, including, but not limited to, appliances, cabinets, cleaners, clothing, computers, cosmetics, detergents, electronics, furniture, leather products, machinery, medical and scientific instruments, paper, perfumes, pharmaceuticals, photographic and optical goods, plastic products, signs and advertising displays, soap, textiles and other uses which the community development director determines to be similar when in compliance with Section 17.20.030 (*if within 100 feet of a residentially zoned property an administrative permit is required)					ZC*	ZC*	
5. Outdoor storage when in conjunction with a city approved use and when all storage is screened by an 8-foot high masonry wall architecturally matched to the structure (*if within 100 feet of a residentially zoned property a conditional use permit is required)			CUP		AP*	AP*	
6. Self-storage or mini-storage when not located on parcels adjacent to arterial roads or freeways as shown on the Moorpark Circulation Element Highway Network Map and with or without a caretaker dwelling					CUP	CUP	
7. Warehousing					AP	AP	
8. Welding					AP	AP	
9. Industrial hemp warehousing, and manufacturing and processing (*except that the process of combining prepared industrial hemp ingredients with other products shall be allowed as an accessory use within a permitted processing or assembly use, with a Zoning Clearance)							
E. Public and Semi-Public Uses							
1. Amusement and recreational facilities as defined in Chapter 17.08							
a. Arcades (video and computer) and cyber cafés		CUP	CUP	CUP			
b. Health clubs, gymnasiums, fitness centers, and fitness studios for uses such as martial arts, yoga, dance, and other similar uses or combination of uses							
i. up to 3,000 square feet		AP	AP	AP	AP		
ii. over 3,000 square feet (*if within 100 feet of a residentially zoned property a conditional use permit is required)		AP*	AP*	AP*	AP*		
c. Auditoriums, community centers, dancehalls, and indoor motion picture theaters			CUP	CUP	CUP	CUP	CUP
d. Billiard and pool establishments, and bowling alleys, with or without alcohol			CUP	CUP			
2. Care facilities, including adult day care facilities, Alzheimer's day care facilities, congregate living health facilities, child day care centers, community treatment facilities, foster family and adoption agencies, hospices, long-term health care facilities, residential care facilities for the elderly, residential care facilities for persons with chronic life-threatening illness, skilled nursing and intermediate care facilities, social rehabilitation facilities, and therapeutic day services facilities	CUP	CUP	CUP				

Zones	C-O	C-1	CPD C-2	C-OT ¹	M-1	M-2	I
3. Emergency shelters in compliance with the requirements of Chapter 17.28 (*allowed in C-2 zone only, not permitted in CPD zone; emergency shelters are also allowed in conjunction with permitted places of religious assembly)			ZC*				
4. Single room occupancy unit development in compliance with the requirements of Chapter 17.28 (*allowed in C-2 zone only, not permitted in CPD zone)			ZC*				
5. Clubhouses, social clubs, service clubs with or without alcohol					CUP		CUP
6. Energy production from renewable resources						CUP	CUP
7. Governmental uses including, but not limited to, city offices, community rooms, fire stations, human service centers, libraries, police stations, public utility facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP
8. Hospitals including urgent care (*if within one hundred [100] feet of a residentially zoned property a conditional use permit is required)	CUP		AP*		AP*		AP*
9. Places of religious assembly, with or without schools and/or social services, including emergency shelters							
i. up to 3,000 square feet	CUP	AP	AP	AP	AP	CUP	CUP
ii. over 3,000 square feet (*if within 100 feet of a residentially zoned property a conditional use permit is required)	CUP	AP*	AP*	AP*	AP*	CUP	CUP
10. Private education facilities including, but not limited to, colleges and universities, elementary, middle and high schools							CUP
11. Private training facilities including, but not limited to, professional and vocational schools, art and craft schools, music schools not part of a music store, and driver training schools (*if within 100 feet of a residentially zoned property a conditional use permit is required)	CUP	CUP	AP*	AP*	AP*		
12. Recreational facilities (private), indoor or outdoor, with or without food services, including, but not limited to, batting cages, bicycle and skate facilities, golf courses (including miniature golf and driving ranges), and sports fields. Bicycles and skate parks shall be in compliance with Chapter 17.28 (*if within 100 feet of a residentially zoned property a conditional use permit is required)			AP*		AP*		CUP
13. Utility structures (electrical boxes, transformers and valve apparatus that have no covered floor area and are attached to the ground by poles, columns or pedestals shall not require a zone clearance)	AP	AP	AP	AP	AP	AP	AP
14. Wireless communications facilities, in accordance with the requirements of Chapter 17.42							
a. Major wireless communications facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP
b. Minor wireless communications facilities	AP	AP	AP	AP	AP	AP	AP

Zones	C-O	C-1	CPD C-2	C-OT ¹	M-1	M-2	I
c. Collocation wireless communications facilities (consistent with definition of “collocation facility” in Section 17.42.020)	ZC	ZC	ZC	ZC	ZC	ZC	ZC
F. Accessory and Miscellaneous Uses							
1. Outdoor sales	CUP	CUP	CUP	CUP	CUP	CUP	
2. Retail shops and services as listed in Table 17.20.060(A)(21) when the uses are determined by the community development director to be ancillary to office use of the property	AP						
3. Temporary motion picture, television, or still photography production (and related activities and structures) in accordance with Section 17.28.120	TUP	TUP	TUP	TUP	TUP	TUP	TUP
4. Temporary uses including, but not limited to, carnivals, Christmas tree sales, circuses, festivals, sidewalk sales, special events, outdoor sales, when in compliance with Chapter 17.44. Issuance of a temporary use permit shall take the place of a zoning clearance. Temporary uses lasting more than 180 days require an AP	TUP	TUP	TUP	TUP	TUP	TUP	TUP
5. Drive-through facilities associated with permitted uses in the zone other than eating and drinking places (Not allowed in C-2 Zone)			CUP		CUP		
6. Cultivation of industrial hemp							

¹ If the proposed use is determined to be a Chain Store, see Section 17.28.090 (Chain Stores) for supplemental requirements.

17.28.090 CHAIN STORES

Section 17.28.090 of the Municipal Code shall be amended as shown below wherein underline indicates added text:

A. Purpose. The purpose of this section is to regulate the location and operation of Chain Stores in the Old Town Commercial (C-OT) Zone in order to maintain the small town, rural character and the economic vitality of the city’s commercial center. The City has determined that the preservation of High Street’s unique architecture, streetscape, and other design elements will promote the long-term viability of the historic commercial center. The City has also determined that preserving a balanced mix of local-, regional-, and national-based businesses as well as small and medium sized businesses will maintain and promote the long-term economic vitality of neighborhood and visitor-serving businesses and the community as a whole. It is therefore the intention of the City that an over-concentration of Chain Stores not be allowed. All Chain Stores are prohibited in the Old Town Commercial (C-OT) Zone unless approved with a conditional use permit, subject to the findings contained in this Section. Any Chain Store approved with a conditional use permit shall create a unique visual appearance that reflects and complements the distinctive historical character of High Street, and that no such establishment shall project a visual appearance that is homogeneous with its establishments in other communities.

B. Applicability. This Section applies to any proposed use in the Old Town Commercial (C-OT) Zone determined to be a Chain Store.

C. Responsibility of Chain Store Use Determination

1. Any application in the Old Town Commercial (C-OT) Zone determined by the City to be a Chain Store on which the Applicant has not identified the use as a Chain Store is incomplete and cannot be processed until the omission is corrected.
2. Any entitlement approved that is determined by the City to have been, at the time of application, a Chain Store that did not identify the use as such is subject to revocation in writing at any time.
3. In the event the City determines that a permit application or permit subject to this section is for a Chain Store, the permit applicant or holder bears the burden of proving to the City that the proposed or existing use does not constitute a Chain Store.

D. Conditional Use Permit (CUP) Process.

1. Approval of a conditional use permit is required for any Chain Stores proposed in the Old Town Commercial (C-OT) zone;
2. The expansion of any existing Chain Store in the Old Town Commercial (C-OT) zone shall require a conditional use permit if the Chain Store does not already have a conditional use permit;
3. The cumulative expansion of a permitted Chain Store by 500 or more square feet of floor area shall require a modification to the conditional use permit; and
4. The Chain Store shall fully comply with all applicable regulations of the Zoning Ordinance including adherence to the design guidelines established in the Downtown Specific Plan
5. In addition to all of the findings required by MMC Section 17.44.040(D), all of the following findings must be made prior to the issuance of a conditional use permit for a Chain Store:
 - a. The Chain Store will not result in an over-concentration of Chain Stores in the Old Town Commercial (C-OT) zone;
 - b. The Chain Store will promote variety to assure a balanced mix of commercial uses available to serve both resident and visitor populations;
 - c. The Chain Store will contribute to an appropriate balance of local-, regional-, and national-based business establishments as well as small- and medium-sized business establishments in the zone; and
 - d. The proposed use, together with its design and improvement, is compatible with the existing architectural and aesthetic character of High Street and adheres to the design guidelines of the Downtown Specific Plan.