

LEMOORE PLANNING COMMISSION
Regular Meeting
AGENDA
Lemoore Council Chambers
429 'C' Street

March 14, 2016
7:00 p.m.

1. Pledge of Allegiance and Roll Call

2. Public Comments and Inquiries

If you wish to comment on an item, which is not on the agenda, you may do so under "Public Comment." In order to allow time for all public comments, each individual's comments are limited to five minutes. When addressing the Commission, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your presentation.

3. Approval – Minutes – Regular Meeting, February 8, 2016

4. Public Hearing – Conditional Use Permit No. 2016-01: A request by Timothy Welsh for a conditional use permit to allow a tattoo parlor including retail sales of piercings, body art supplies, and clothing in the DMX-1 (Downtown Mixed Use, Core) zone. The site is located at 350 W. "D" Street in the City of Lemoore. APN: 020-054-015

5. Public Hearing – Zoning Text Amendment No. 2016-01: Amendments to portions of the following articles within the Lemoore Municipal Code related to Zoning: Article A of Chapter 4 of Title 9 (Land Use Classification System); Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements); Article C of Chapter 4 of Title 9 (Temporary Uses); Article B of Chapter 5 of Title 9 (Development Standards by Zone District); and Article F of Chapter 5 of Title 9 (Signage)

6. Planning Director's Report – Judy Holwell, Interim Planning Director

7. Commission's Report and Request for Information

Adjournment

Tentative Future Items

April 11, 2016

None at this time

Notice of ADA Compliance: If you or anyone in your party needs reasonable accommodation to attend, or participate in, any Planning Commission Meeting, please make arrangements by contacting City Hall at least 24 hours prior to the meeting. They can be reached by calling 924-6700, or by mail at 119 Fox Street, Lemoore, CA 93245.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Department located at 711 W. Cinnamon Drive, Lemoore, CA during normal business hours. In addition, most documents will be posted on the City's website at www.lemoore.com.

CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary, do hereby declare that the foregoing Agenda for the Lemoore Planning Commission Regular Meeting of Monday, March 14, 2016 at 7:00 p.m. was posted on the outside bulletin board located at City Hall, 119 Fox Street in accordance with applicable legal requirements. Dated this 11th day of March 2016.

//s//

Kristie Baley, Commission Secretary

WELCOME TO YOUR LEMOORE PLANNING COMMISSION MEETING

Whether you are attending this meeting because of general interest, or because a particular item of special interest is to be reviewed, your presence is an important means of helping to insure an informed public and responsible City Government.

PLANNING COMMISSION

The Planning Commission has been established to advise the City Council in planning and zoning matters.

REGULAR PLANNING COMMISSION MEETINGS

Meetings are held at 7:00 p.m. on the Second Monday of each month. Business requiring Commission action is listed on the Planning Commission Meeting Agenda. An agenda is prepared for each Planning Commission Meeting. In compliance with the State open meeting laws (Brown Act), only those items on the agenda may be acted upon by the Planning Commission.

CONDUCT AT PUBLIC MEETINGS

Your courtesy is requested to help our meeting run smoothly. If you'll be kind enough to follow these simple rules, we can make the best possible use of time. Please silence all electronic devices. Please refrain from public displays or outbursts such as unsolicited applause, comments, cheering, foul language, or obscenities. Any disruptive activities that substantially interfere with the ability of the City to carry out its meeting or prevents/disrupts others from fully participating in the meeting will not be permitted and offenders will be requested to leave the meeting pursuant to Government Code § 54957.9.

PUBLIC COMMENTS

At a Planning Commission meeting, those who wish to be heard on matters on the agenda should indicate their desire to speak when the item is ready for discussion. If you wish to comment on an item which is not on the agenda, you may do so under "Public Comments". In order to allow time for all public comments, each individual's comments are limited to five minutes. Time shall not be shared/loaned from speaker to speaker. If you wish to request time on an upcoming Planning Commission Agenda to present a particular item or matter to the Planning Commission, you may contact the Planning Commission Secretary at any time before 12:00 noon on the Tuesday immediately preceding the Planning Commission meeting to so request. If the matter is within the Planning Commissions jurisdiction, and the Planning Commission has not taken action or considered the item at a recent meeting, the Planning Director may place the item on the Agenda. When addressing the Planning Commission, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your presentation.

PLANNING COMMISSION ACTION

Resolution

A Resolution is a formal written expression of a policy, opinion or desire of the Planning Commission. It requires only one reading and becomes effective on adoption.

Minute Order

Actions of the Planning Commission recorded only in the Minutes taken in all cases where a formal Resolution is not needed or required.

SUGGESTIONS, INQUIRIES OR COMPLAINTS

While any citizen may speak directly to the Planning Commission concerning suggestions, inquiries or complaints, the Planning Director or Department Head responsible for the service or work concerned, can usually provide pertinent information or handle the matter without delay if a request is made directly to him or her. If you are not sure which department to call, or whenever you feel the matter has not been properly handled, please contact the office of the Planning Director at 711 W. Cinnamon Drive, telephone 924-6740.

Minutes of the
LEMOORE PLANNING COMMISSION
February 8, 2016

MEETING CALLED TO ORDER:

At 7:00 p.m. the meeting was called to order.

ATTENDANCE:

Chair Meade, Vice-Chair Marvin, Commissioners Badasci, Clement, Dow, Garcia, Monreal; Interim Planning Director Holwell, City Planner Brandt, Commission Secretary Baley

PUBLIC COMMENT:

There was no comment.

PRESENTATION AND REQUEST FOR COMMENT – STATE ROUTE 198 CORRIDOR PRESERVATION AND IMPROVEMENT STRATEGIC PLAN – DRAFT REPORT:

Interim Planning Director Holwell presented the draft report and stated that Lemoore City Council was sending a response to Kings County Association of Governments pointing out certain concerns. The Commission agreed with all of Councils concerns.

NAS Lemoore Community Planning Liaison Officer Marlana Brown provided future base population information and stated that the plan may create an encroachment issue for NAS Lemoore.

PLANNING DIRECTOR'S REPORT:

Interim Planning Director Holwell reported that Framework Racing raised \$15,000 to contribute to BMX track improvements. In May of 2015 they requested financial assistance from the City to install a water line which would allow the track to connect to City water and in August of 2015 requested another \$8,000 for the cost of engineering fees. The Lemoore City Council agreed to pay the entire cost.

Holwell reported that The Greens subdivision is developing quickly.

Holwell reported that Aniston Place North (Tract 910), a Wathen Castanos development is moving forward. The Final Map and Subdivision Agreement are expected to be reviewed by City Council soon.

Holwell reported that the Great Valley Land Company site plan application for a subdivision development is still in process. Staff is waiting for submittal of requested corrections.

COMMISSION'S REPORT AND REQUEST FOR INFORMATION:

Commissioner Meade requested information regarding the possibility of a RR crossing at Daphne Lane to accommodate the new subdivisions.

Holwell stated that CrisCom has been enlisted to schedule a meeting with the Railroad regarding the possibility of future RR crossing at Daphne Lane to accommodate the subdivisions. The alternative is a road crossing at Lemoore Canal to 17th Avenue.

Commissioner Clement requested information regarding the property on east "D" Street and Smith.

Holwell stated that the property was previously set aside for Redevelopment and was going to be developed as an affordable housing project. Developers have shown interested since the dissolution of Redevelopment; however, staff is not sure if affordable housing is the direction City Council wants to go. The City Attorney has been asked to look into alternative options for the property. Revenue from the property sale would still go to the Lemoore Housing Authority.

Commissioner Meade asked if the City is concerned about the impact new development will have on City water.

Holwell stated there is no concern at this time, however measures are being taken to monitor any potential impact.

Commissioner Clement asked if there has been any commercial interest directed toward the corridor on the freeway.

Holwell stated there have been several developers interested in properties near the Highway 198 and 41 Interchange, as well as the south east corner of Highway 41 and Hanford-Armona Road.

Commissioner Badasci asked if there are plans for a frontage road along Highway 41 at Hanford-Armona Road and if there are any incentives for developers interested in that area.

Holwell described several conceptual ideas regarding alternate access for future development at the Highway 41 and Hanford-Armona Road that were discussed several years ago, but stated there is no plan to create a frontage road at this time. She stated there are currently no incentives for developers.

Commissioner Garcia notified fellow Commissioners and the public that he submitted his resignation from the Planning Commission as of March 1, 2016, because he is moving out of the City Limits.

Fellow Commissioners thanked him for his service and wished him well.

ADJOURNMENT:

At 7:43 p.m. the meeting adjourned.

Approved the 14th day of March, 2016.

Full digital audio recording is available.

Attest:

Dr. Ronald Meade, Chair

Kristie Baley, Secretary

Mayor
Lois Wynne
Mayor Pro Tem
Jeff Chedester
Council Members
Ray Madrigal
Eddie Neal
William Siegel



**Public Works/
Planning Department**

711 W. Cinnamon Drive
Lemoore, CA 93245
Phone (559) 924-6740
Fax (559) 924-6708

Staff Report

To: Lemoore Planning Commission
From: Steve Brandt, City Planner
Date: March 9, 2016 **Hearing Date:** March 14, 2016

Subject: Public Hearing to consider Conditional Use Permit No. 2016-01 – A request by Timothy Welsh for a conditional use permit to allow a tattoo parlor with retail sales of piercings, body art supplies, and clothing in the DMX-1 (Downtown Mixed Use, Core) zone. The site is located at 350 West D Street in the City of Lemoore. APN: 020-054-015

Recommended Action

City staff recommends that the Planning Commission conduct a public hearing to take testimony regarding CUP 2016-01. Following the public hearing, staff recommends that the Planning Commission consider the testimony given and approve the applicant's proposal with conditions.

Proposal

The applicant, Timothy Welsh, requests a Conditional Use Permit to use an existing 1,250 sq.ft. building for a tattoo parlor with associated retail sales. The building is located at 350 West D Street, on the north side of D Street, between Fox Street and Heinlen Street. The site's most recent former tenant was Bobby's Satellite.

The tattoo parlor is planned to be open 7 days a week, from 12:00pm to 8:00pm. Only tattooing services would be provided. Body piercing services (including ear piercing) and other body art services (such as branding, scarring, or cutting) would not be provided. Retail sales would include piercing items, jewelry, body art items, clothing, and similar items. The applicant states that he intends to target military, first responder, and law enforcement personnel as the main client base. Tattooing needles used would be of a disposable, single-use type that eliminates the need for needle cleaning.

No exterior or site improvements to the property site are proposed, with the exception of signage. The use would share the existing public parking spaces on D Street. There are also 12 parking spaces on the site behind the building that are accessed from the alley. These spaces are shared between the site and the adjacent business currently occupied by Green River Spa.

Applicant	Timothy Welsh
Location	350 West D Street
Existing Land Use	Commercial building with parking in the rear
APN	020-054-015
Total Building Size	1,250 sq.ft.
Lot Size	Approximately 8,500 sq.ft.
Zoning	DMX-1 (Downtown Mixed Use, Core)
General Plan	Mixed Use

Adjacent Land Use, Zone and General Plan Designation

<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	gas station	DMX-1	Mixed Use
South	retail stores	DMX-1	Mixed Use
East	massage services	DMX-1	Mixed Use
West	restaurant	DMX-1	Mixed Use

Previous Relevant Actions

There are two known, conditional use permits for tattoo services (unrelated to this applicant) that were previously approved by the Planning Commission. A conditional use permit was approved at 214 Heinlen in 1999 for tattoo and body piercing services. Another conditional use permit was approved at 55 East D Street for tattoo services only. Piercings, cutting, branding, and similar services were not approved as a part of that permit.

Zoning/General Plan

The site is zoned DMX-1 (Mixed Use, Core) and designated Mixed Use in the General Plan. Tattoo parlors are allowed in the DMX-1 zone upon approval of a conditional use permit.

Access

There is pedestrian access from D Street, with a secondary entrance from the alley north of D Street. The attached floor plan shows a lobby in the front of the building facing D Street, with a tattoo procedure area towards the rear.

Parking

There are 12 parking spaces on the site with alley access, and serve the project space and the adjacent space occupied by a massage services business. The Zoning Ordinance sets the required number of spaces based on use and building size. Personal service uses require 3.5 spaces per 1,000 sq.ft. This means that the total spaces required would be 5 parking spaces. All parking demand should be able to be met on the site. Even if parking demand was not met

on site, the Zoning Ordinance does not require additional parking in the downtown area if there is no expansion of the building square footage. There is also public parking on D Street.

Health and Safety Issues

Tattooing services are regulated by the Kings County Environmental Health Department. AB 300, the Safe Body Art Act, was made State law in 2012. It establishes requirements for certain businesses involved in tattooing, branding, body piercing, and permanent cosmetics. The law requires practitioners of tattooing, branding, body piercing, and permanent cosmetics to register with the county in which they practice. It also requires them to comply with its standards, provide the county health department with certain business specific information, and pay a registration fee of \$25 as well as an annual inspection fee of \$105 to the county health department. The county health department is required to annually inspect the locations where tattooing, body piercing, and permanent cosmetics are practiced in order to verify adherence to the required standards. A copy of the Environmental Health Department's Body Art Evaluation Form that they use to evaluate tattoo establishments is included for reference. Staff is recommending that proof of compliance be provided to the City upon request at any time.

Staff is recommending limits on the hours of operation. The recommendation is between 9:00 a.m. and 10:00 p.m. This is to avoid late night tattooing that can sometimes result in public safety issues resulting in police calls for service. The applicant had indicated his plan is to be open from 12:00 p.m. to 8:00 p.m., which is within the timeframe Staff is recommending.

Staff is also recommending that other body art services such as piercing, scarring, cutting, painting, or branding of the skin or body be specifically not allowed by this conditional use permit. The applicant has stated that it was not his intention to provide these services.

Environmental Assessment

The project is categorically exempt from CEQA requirements per the exemption in Section 15303 of the CEQA Guidelines, pertaining to new, small structures.

Architectural and Site Design Standards

No changes to the architecture or site are proposed. All modifications would be made in the interior of the building.

Landscaping

No changes to existing landscaped areas are proposed.

Signage

All new signage would be required to meet the City Zoning Ordinance, which requires a separate building permit.

Procedures for the Planning Commission

The Planning Commission may choose to approve, approve with conditions, or deny this application. Staff is recommending approval with the following findings and conditions.

Following the closure of the public hearing, and after deliberation, if the Commission wants to deny the permit then the Commission should articulate why the required following use permit findings cannot be met along with any other reasons for denial. The Commission should then (by voice vote) continue the item to the April 11th meeting and direct Staff to bring back a draft resolution with findings for denial based upon their comments at which meeting the Commission will continue the deliberation and take formal action if appropriate.

Recommended Approval Findings

A conditional use permit shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings:

1. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed use of the building is consistent with the General Plan; the proposed uses are compatible with other uses in the DMX-1 zone.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The proposed site does provide sufficient parking.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located.

City staff recommends that these findings be made based upon review of the project as described in this staff report, and with the recommended conditions of approval.

Recommended Conditions

Staff recommends the following conditions be applied to the approval of the Conditional Use Permit:

1. The site shall be developed and operated consistent with the submitted floor plan and applicable development standards found in the Zoning Ordinance.
2. The operation shall be conducted in accordance with this conditional use permit. Any deviations from the approvals shall require an amendment to the prior approvals or approval of a new permit or entitlement(s) as determined by the City.
3. The operation's hours of business shall be limited to between 9:00 a.m. and 10:00 p.m.
4. Services other than tattooing, such as body art (piercing, scarring, cutting, painting, or branding of the skin or body) are not allowed.

5. All requirements of the Kings County Environmental Health Department shall be complied with at all times. Proof of compliance shall be provided to the City of Lemoore at any time upon request.
6. The operation shall not provide tattoo services to those who are intoxicated or are under the influence of a prohibited substance. The operation shall not provide tattoo services to those persons who are under the age of 18 without written permission and presence of a parent or guardian.
7. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
8. All business owners shall obtain a business license from the City of Lemoore.
9. A sign permit shall be obtained for all signage, as required by the Zoning Ordinance.
10. All portions of the City Municipal Code shall be complied with at all times.
11. The time limits and potential extensions and expiration of this conditional use permits are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Attachments

- Draft Resolution
- Floor Plan
- County of Kings – Environmental Health Division: Body Art Evaluation Form
- Vicinity Map

RESOLUTION #2016-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING CONDITIONAL USE PERMIT NO. 2016-01 TO ALLOW A TATTOO PARLOR WITH
RETAIL SALES OF PIERCINGS, BODY ART SUPPLIES, AND CLOTHING
IN THE DMX-1 (DOWNTOWN MIXED USE, CORE) ZONE LOCATED AT 350 WEST D STREET
(APN 020-054-015) IN THE CITY OF LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on March 14, 2016, at 7:00 p.m. on said day, it was moved by Commission member _____, seconded by Commission member _____ and carried that the following Resolution be adopted:

WHEREAS, Timothy Welsh has requested a Conditional Use Permit to use a 1,250 sq.ft. building for a tattoo parlor with associated retail sales. The building is located at 350 West D Street, on the north side of D Street, between Fox Street and Heinlen Street; and

WHEREAS, the zoning on the parcel is DMX-1 (Downtown Mixed Use, Core); and

WHEREAS, the project is categorically exempt from CEQA requirements per the exemption in Section 15303 of the CEQA Guidelines, pertaining to new, small structures; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at their March 14, 2016, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed conditional use permit:

1. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed use of the building is consistent with the General Plan; the proposed uses are compatible with other uses in the DMX-1 zone.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The proposed site does provide sufficient parking.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore approves Conditional Use Permit No. 2016-01, subject to the following conditions:

1. The site shall be developed and operated consistent with the submitted floor plan and applicable development standards found in the Zoning Ordinance.

2. The operation shall be conducted in accordance with this conditional use permit. Any deviations from the approvals shall require an amendment to the prior approvals or approval of a new permit or entitlement(s) as determined by the City.
3. The operation's hours of business shall be limited to between 9:00 a.m. and 10:00 p.m.
4. Services other than tattooing, such as body art (piercing, scarring, cutting, painting, or branding of the skin or body) are not allowed.
5. All requirements of the Kings County Environmental Health Department shall be complied with at all times. Proof of compliance shall be provided to the City of Lemoore at any time upon request.
6. The operation shall not provide tattoo services to those who are intoxicated or are under the influence of a prohibited substance. The operation shall not provide tattoo services to those persons who are under the age of 18 without written permission and presence of a parent or guardian.
7. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
8. All business owners shall obtain a business license from the City of Lemoore.
9. A sign permit shall be obtained for all signage, as required by the Zoning Ordinance.
10. All portions of the City Municipal Code shall be complied with at all times.
11. The time limits and potential extensions and expiration of this conditional use permits are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on March 14, 2016, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Ron Meade, Chairperson

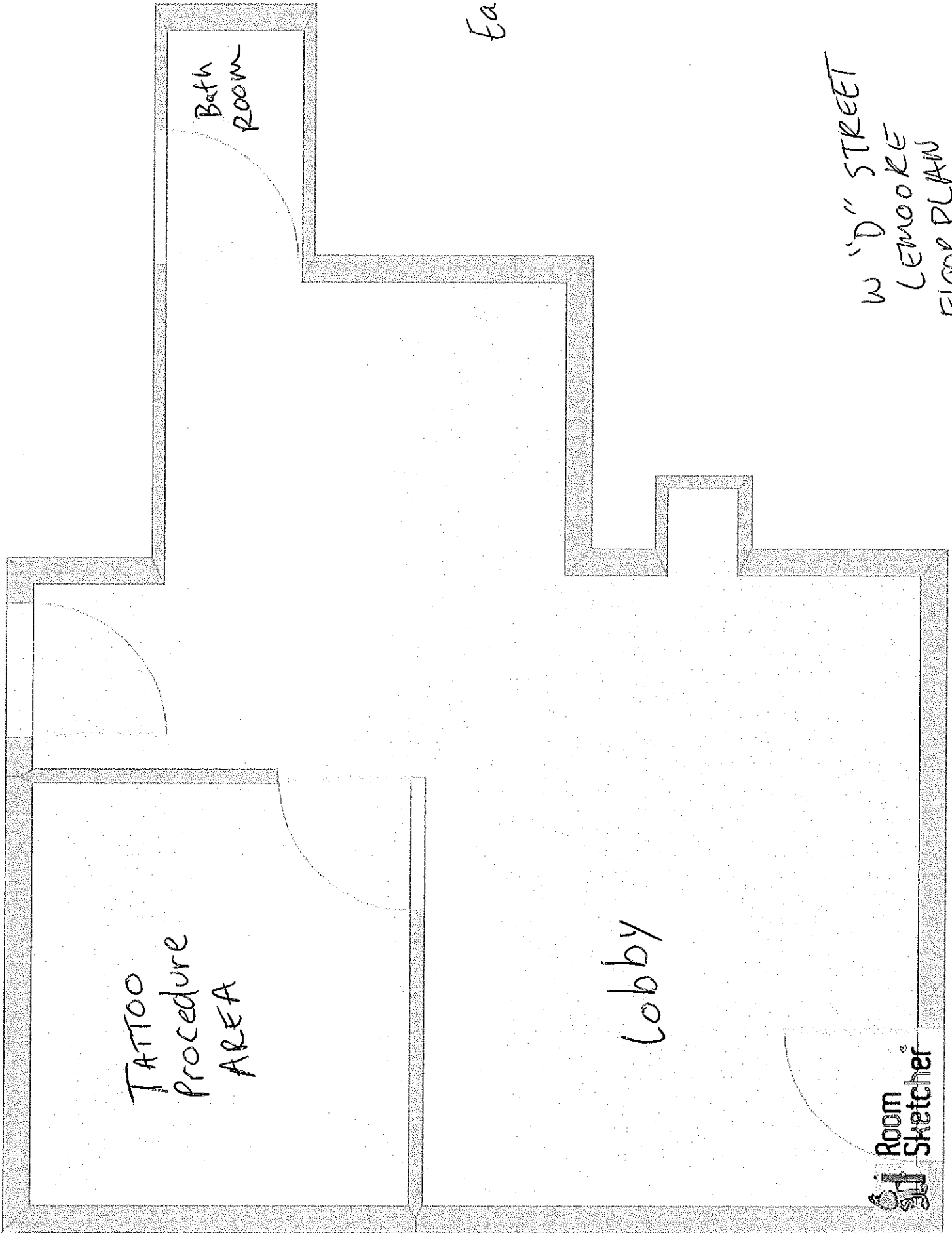
ATTEST:

Planning Commission Secretary

East

W "D" STREET
LEMOORE
FLOOR PLAN

North



South

West

Room
Sketcher



County of Kings - Department of Public Health
 Environmental Health Services Division
 330 Campus Drive Hanford, CA 93230
 Phone - 559-584-1411 Fax - 559-584-6040
 Internet - www.countyofkings.com/health/ehs

BODY ART EVALUATION FORM

Facility/Event Name _____ Address _____ City _____ Zip _____ Date _____

Permit Owner _____

RISK FACTORS AND INTERVENTIONS

In = In compliance N/O = Not observed N/A = Not applicable OUT = Violation observed COS = Corrected on site

CLEANING AND STERILIZATION				
In	N/O	N/A	OUT	COS
			<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>
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PRACTITIONER HEALTH AND HYGIENE				
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CUSTOMER REQUIREMENTS				
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			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
TATTOO AND PERMANENT COSMETICS MACHINE SAFETY AND SANITATION				
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

PREVENTING CROSS-CONTAMINATION				
In	N/O	N/A	OUT	COS
			<input type="checkbox"/>	<input type="checkbox"/>
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BASE BUSINESS PRACTICES				
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COMPLIANCE AND ENFORCEMENT				
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Items marked with an asterisk * may also have specific requirements for temporary events

REQ#	PRACTITIONER/ARTIST NAME	REQ#	PRACTITIONER/ARTIST NAME

OBSERVATIONS AND CORRECTIVE ACTIONS

To promote and protect the physical, mental, social and environmental health of the people in Kings County through education and prevention

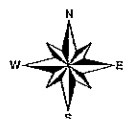


1250 ft Radius

Project Location & Mailing List Map

APN 020-054-015-000

344 W D St, Lemoore CA



Mayor
Lois Wynne
Mayor Pro Tem
Jeff Chedester
Council Members
Ray Madrigal
Eddie Neal
William Siegel



**Public Works/
Planning Department**

711 W. Cinnamon Drive
Lemoore, CA 93245
Phone (559) 924-6740
Fax (559) 924-6708

Staff Report

To: Lemoore Planning Commission
From: Steve Brandt, City Planner
Date: March 9, 2016 **Hearing Date:** March 14, 2016

Subject: Zoning Text Amendment No. 2016-01 - Amendments to portions of the following articles within the Lemoore Municipal Code related to Zoning: Article A of Chapter 4 of Title 9 (Land Use Classification System); Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements); Article C of Chapter 4 of Title 9 (Temporary Uses); Article B of Chapter 5 of Title 9 (Development Standards by Zone District); and Article F of Chapter 5 of Title 9 (Signage).

Recommended Actions

Staff recommends that the Planning Commission conduct a public hearing to take testimony on the proposed changes to the Zoning Ordinance. Following the public hearing, it is requested that the Planning Commission consider adoption of the attached draft Resolution, recommending approval of the Zone Text Amendment.

Proposal

City Staff is proposing a number of changes to the City's Zoning Ordinance. A description of the proposed changes and the reasoning behind them is provided below. Following the description, the actual text of the changes are shown in strikeout/underline format.

None of the proposed changes are being recommended to assist a specific property owner and none were specifically requested or recommended by any property owner. All of them are Staff's attempt to be proactive and anticipate the changing nature of land use regulation.

Staff has determined that this project is Categorical Exempt from CEQA under CEQA Guidelines Section 15305 (Minor Alterations to Land Use Limitations.)

Definition of Truck Stop/Travel Center (Chapter 4, Article A)

This section adds a new definition for a “truck stop/travel center.” The truck stop/travel center is not currently listed in the Zoning Matrix. Staff would like to add this use to the matrix because there does not appear to be an existing use in the matrix that corresponds or is related to this type of use, so the definition is proposed for addition.

Allowed Uses and Required Entitlements Matrix (Chapter 4, Article B)

Table 9-4B-2 is informally referred to as the Zoning Matrix. It lists land uses and then indicates which zones those land uses are either permitted, not permitted, or require either a conditional use permit or an administrative use permit. Staff is recommending a number changes based upon a desire to add truck stop/travel centers to the matrix, to allow more uses in the Mixed Use zone and the Light Industrial zone, and to remove some uses from being allowed in the DMX-1 zone that may not be suited for the downtown. In making these recommendations, Staff looked at the uses already allowed in each zone and made changes where it believed that the uses being added would be compatible in that zone.

Temporary Use Permits (Chapter 4, Article C)

The City Manager and City Staff have been working on making changes to the regulations for temporary uses, partly based on the discoveries made about the current process during the processing of the proposed High Times special event last fall. Many of the proposed changes are administrative or procedural, but some require changes to the Zoning Ordinance.

Fences (Chapter 5, Article B)

The last time changes to the Zoning Ordinance were reviewed by the Planning Commission, the Commission recommended that the height where building permits are required for fences be 7 feet instead of 6 feet. Staff missed one section that should have also been changed at that time, so this change in Section 9-5B-5 C1 is being recommended now.

Signs (Chapter 5, Article F)

Currently, the Ordinance is not completely clear about the placement of signs within public rights of way. This change would clearly state that only the City (and other local or state agencies) may place signs within the public right of way, except as specifically authorized.

Public Hearing Notice Changes

The notice for this public hearing also stated that Chapter 2, Article C (Nonconforming Uses, Structures and Properties) was proposed for amendment. Staff decided after that notice was placed to not recommend changes to this section.

Text of Ordinance Changes

The following format is used to identify which Zoning Ordinance text is being added or deleted.

- ~~Strikeout~~ indicates existing Zoning Ordinance text that will be deleted.
- Underlined text indicates text that will be added.
- Standard text without any strikeout or underlines is existing text, and is not proposed to be changed.

CHAPTER 4: LAND USES

ARTICLE A: LAND USE CLASSIFICATION SYSTEM

9-4A-5: DESCRIPTION OF LAND USES:

This section provides a listing and definition of all the land uses referred to elsewhere in this chapter. The uses are organized alphabetically for ease of use.

T. "T" Definitions:

TRUCK STOP/TRAVEL CENTER: A commercial facility that provides multiple services to travelers and truck drivers, such as fueling stations, restaurants, rest areas, convenience sales, vehicle parking, and/or shower and laundry facilities.

ARTICLE B: ALLOWED USES AND REQUIRED ENTITLEMENTS

See Table 9-4B-2 on next pages.

9-4B-2: ALLOWED USES AND REQUIRED ENTITLEMENTS; BASE ZONING DISTRICTS:

TABLE 9-4B-2
ALLOWED USES AND REQUIRED ENTITLEMENTS FOR BASE ZONING DISTRICTS

P	=	Permitted by right	N	=	Not permitted
A	=	Administrative use permit required	C	=	Conditional use permit required

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Residential uses:																				
Caretaker housing	C	P	P	P	P	P	P	C	N	C	C	P	P	P	P	C	C	P	P	P
Child daycare facility- family daycare home, large ¹	N	A	A	A	A	A	A	N	N	N	N	A	A	A	A	N	N	N	N	N
Child daycare facility- family daycare home, small	N	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Dwelling, multi-family	N	N	N	N	P	P	P	N	N	N	N	P ²	P	P	P	P ²⁷	N	C	N	N
Dwelling, second unit ³	N	A	A	A	A	A	A	N	N	N	N	N	A	A	N	N	N	N	N	N
Dwelling, single-family	P	P	P	P	P	P	N	N	N	N	N	N	A	P	N	N	N	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Dwelling, two-family	N	N	A	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Emergency shelter	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	C	N
Employee housing, large	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Employee housing, small	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Gated residential community	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N
Group residential	N	N	N	N	N	P	P	N	N	N	C	P	P	P	P	N	N	N	N	N
Guesthouse	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Live-work facility ⁵	N	N	N	N	N	N	A	N	N	N	N	A	A	A	A	A	N	N	N	N
Medical marijuana cultivation - personal use	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	N	N	N	N	N	N	N	N	N	N	N	N	N
Mobilehome park ⁶	N	C	C	C	C	A	A	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational vehicle park ²⁴	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N
Residential care facility ²⁵	N	N	N	N	C	C	P	N	N	N	N	N	N	N	C	C	N	N	N	N
Residential care home	N	P	P	P	P	P	P	N	N	N	N	C	P	P	P	N	N	N	N	N
Single room occupancy (SRO) facility	N	N	N	N	N	N	P	N	N	N	N	C	C	C	N	N	N	N	N	N
Supportive housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Transitional housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Agricultural and animal related uses:																				
Agricultural tourism	P	N	N	N	N	N	N	N	N	N	P	N	C	C	N	N	N	N	P	P
Animal husbandry	C	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	C	C
Animal keeping	P	P	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N
Animal sales and grooming	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N
Crop production	P	C	A ⁷	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	A	A
Equestrian facility, commercial	P	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N
Equestrian facility, hobby	C	P	N	N	N	N	N	N	N	C	C	N	N	N	N	N	N	N	N	N
Household pets:																				
4 or less	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
More than 4	C	C	C	C	C	C	C	N	N	N	N	C	C	C	C	N	N	N	N	N
Kennel	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ⁸	C ⁸	P	N
Veterinary facility	P	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
Recreation, resource preservation, open space, education, and public assembly uses:																				
Assembly uses	A	N	C	C	A	A	A	N	N	A	A	A	A	A	A	A	A	P	C	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Cemetery/mausoleum	C	N	N	N	N	N	N	N	N	C	P	N	N	N	N	N	N	N	N	N
Community food bank	N	N	C ²⁶	C ²⁶	C ²⁶	C ²⁶	N	N	N	A	A	C N	A	N	C	N	N	N	N	N
Community garden ⁹	A	A	A	A	A	A	A	N	N	A	A	A	A	A	N	N	N	A	N	N
Indoor amusement/entertainment facility ¹⁰	N	N	N	N	N	N	N	N	N	P	P	P	P	C	P	P	P	N	C A	N
Indoor fitness and sports facility	N	N	N	N	N	N	N	N	N	P	P	P	P	C	P	P	P	C	C A	N
Library/museum	N	N	N	N	N	N	N	N	N	P	P	P	P	P	C	N	C	P	N C	N
Outdoor commercial recreation	N	N	N	N	N	N	N	N	N	P	P	P ¹¹	P ¹¹	P ¹¹	P P ¹¹	N	N	N	C	N
Park/public plaza	N	P	P	P	P	P	P	N	N	P	P	P	P	P	P	P	P	P	P	P
Resource protection and restoration	P	N	N	N	N	N	N	P	N	P	P	N	N	N	N	N	N	N	N	N
Resource related recreation	P	N	N	N	N	N	N	P	N	P	P	N	N	N	N	N	N	N	N	N
School, academic - private and charter	N	N	C	C	C	C	C	N	N	N	P	N	N	N	C	N	N	N	N C	N
School, academic - public	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
School, colleges and universities - private	N	N	N	N	N	N	N	N	N	N	P	N <u>C¹¹</u>	N <u>C¹¹</u>	N	C	N	N	P	C	N
School, colleges and universities - public	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
School, equipment/machinery/ vehicle training	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	P	C
School, specialized education and training/studio	N	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	P	P	C	N
Theater/auditorium	N	N	N	N	N	N	N	N	N	P	P	P	C	C	P	P	P	N	N	N
Utility, transportation, public facility, and communication uses:																				
Airport	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Ambulance service	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	N
Broadcasting and recording studio	N	N	N	N	N	N	N	N	N	N	N	P ¹¹	P ¹¹	C ¹¹	C	C	P	P	P	N
Bus and transit shelter	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Fuel storage and distribution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Heliport	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Park and ride facility	N	N	N	N	N	N	N	N	N	P	P	P	P	N	P	P	P	P	P	P
Parking facility	N	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	P	P	P	P
Public safety facility	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Solar power station	C	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	C	C
Transit facility	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	P	P
Transit station/terminal	N	N	N	N	N	N	N	N	N	N	P	P	N	N	P	P	P	C	P	P
<u>Truck stop/travel center</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>
Utility facility and infrastructure	P	P	P	P	P	P	P	P	N	P	P	N	N	N	P	P	P	P	P	P
Wireless telecommunication facility:																				
Major ¹²	N	N	N	N	N	N	N	N	N	C ¹³	C ¹³	C ¹³	C ¹³	N	C ¹³	C ¹³	C ¹³	N	C ¹³	C ¹³
Minor ¹²	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Retail, service, and office uses:																				
Adult day healthcare center	N	N	N	N	N	N	C	N	N	N	N	N	C	C	C	C	C	P	N	N
Alcoholic beverage sales, off site ¹⁴	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Alcoholic beverage sales, on site ¹⁴	See "bar/nightclub" and "restaurant"																			
Art, antique, collectible	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	N	N	N
Artisan shop	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	N	N	N
Banks and financial services	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	P	N <u>C</u>	N
Bar/nightclub ¹⁴	N	N	N	N	N	N	N	N	N	N	N	C	C	N	C	C	C	N	N	N
Bed and breakfast inn	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	C	N	N	N	N
Building materials store/yard	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	P	N	N <u>P</u>	P	P	N	N <u>P</u>	N
Business support services	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C	P	P	P	P	N	N
Call center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P <u>N</u>	N	P	C	N
Card room	N	N	N	N	N	N	N	N	N	N	N	C ¹⁵	C ¹⁵	N	N	N	C	N	N	N
Check cashing business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N
Child daycare facility - child daycare center ²⁵	N	N	N	C	C	A	A	N	N	N	N	C	N	P	P	P	P	P	N	N
Consignment store	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	C ¹⁵	N	C <u>P</u>	P	P	P	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Convenience store	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C ¹⁵	P	P	P	P	N	N
Crematory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	P
Drive-in and drive-through sales and service ¹⁶	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N A	G A	A	N C	N A	N
Equipment sales and rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	C	N	P	P
Garden center/plant nursery	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	N	N A	P	P	N	N A	N
Grocery store/supermarket	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N P	P	P	N	N	N
Hookah parlor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hotel and motel	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	P	P	P	N	N
Maintenance and repair of small equipment	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C ¹⁵	C	P	P	P	P	P
Massage therapy ¹⁷	N	N	N	N	N	N	N	N	N	N	N	A	N	N	A	A	A	N	N	N
Medical marijuana dispensary	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Medical services, extended care	N	N	N	N	N	N	N	N	N	N	N	C	C	C	P	P	P	P	N	N
Medical services, general	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Medical services, hospital ²⁵	N	N	C	C	C	C	C	N	N	N	N	N	N	N	C	C	P	P	C	N
Mortuary/funeral home	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	P	P	P	N	N
Neighborhood market	N	N	N	N	N	N	N	N	N	N	N	A	A	N	P	P	P	N	N	N
Office, accessory	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	P	P
Office, business and professional	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	A	A	P	N	N
Pawnshop	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	P	P	N	N	N
Personal services	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N
Restaurant	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
Retail, accessory	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P
Retail, general	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	P ^{11,15}	P ^{11,15}	P ¹⁸	P ¹⁸	P	N	N	N
Retail, warehouse club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C 4	N	P	N	N	N
Semipermanent mobile food vehicle ¹⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	A	A	A	N	A	N
Sexually oriented business ²⁰	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Smoke shop	N	N	N	N	N	N	N	N	N	N	N	C N	N	N	C	C	P	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Tattoo parlor	N	N	N	N	N	N	N	N	N	N	N	G N	C	N	N	C	C	N	N	N
Thrift store ²¹	N	N	N	N	N	N	N	N	N	N	N	C	C	N	A A	A	A	N	N	N
Automobile and vehicle uses:																				
Auto and vehicle rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P C	A C	P C	P C	P	P
Auto and vehicle sales	N	N	N	N	N	N	N	N	N	N	N	N	N	N	A C	N	P	N	G P	N
Auto and vehicle sales, wholesale	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Auto and vehicle storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Auto parts sales	N	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	N	A P	P	P	P	P	P
Auto vehicle dismantling	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Car washing and detailing	N	N	N	N	N	N	N	N	N	N	N	N	P	N	A C	C	P	N	P	P
Fueling station ²²	N	N	N	N	N	N	N	N	N	N	N	N	C	N	A C	C	A	A	A	A
Vehicle services - major	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	N	P	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Vehicle services - minor	N	N	N	N	N	N	N	N	N	N	N	N	C ²³	N	C ²³	C ²³	C ²³	N	C ²³	C ²³
Industrial, manufacturing, and processing uses:																				
Agricultural products processing	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Freight yard/truck terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Manufacturing, major	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Manufacturing, minor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	P
Manufacturing, small scale	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P ²³	P	P
Medical marijuana cultivation - collective or cooperative cultivation; dispensary	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P ²⁸	N
Printing and publishing	N	N	N	N	N	N	N	N	N	N	N	N	C ¹¹	N	C	P	P	P	P	P
Recycling facility - collection	N	N	N	N	N	N	N	N	N	N	N	N	C	N	P A	P A	P A	N	P	P
Recycling facility - processing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Recycling facility - scrap and dismantling	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Research and development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	N	P ²³	P	P
Storage, personal storage facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	N	N	P	P
Storage, warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Storage, yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Wholesaling and distribution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Temporary uses	See article C, "Temporary Uses", of this chapter																			
Nonconforming uses	See chapter 2, article C, "Nonconforming Uses, Structures, And Properties", of this title																			

Notes:

1. See additional regulations for large family daycare homes in section 9-4D-7 of this chapter.
2. Only permitted on the first floor when located along an alley or side street; otherwise must be on an upper floor.
3. See additional regulations for second dwelling units in section 9-4D-12 of this chapter.
4. Reserved.
5. See additional regulations for live-work facilities in section 9-4D-8 of this chapter.
6. See additional regulations for mobilehome parks in section 9-4D-10 of this chapter.
7. Minimum lot size shall be 20,000 square feet.
8. All activities and storage shall be located within an enclosed structure(s).
9. See additional regulations for community gardens in section 9-4D-3 of this chapter.
10. See special permit requirements in title 3, chapter 4, article C of the municipal code.
11. Maximum tenant space shall be 10,000 square feet.
12. See additional regulations for wireless telecommunication facilities in section 9-4D-15 of this chapter.
13. Facilities less than 75 feet tall are permitted by right, except that major site plan and architectural review is still required. Otherwise, a conditional use permit is required in addition to major site plan and architectural review.
14. See additional regulations for alcoholic beverage sales in section 9-4D-2 of this chapter.
15. Use is permitted by right when located on the ground floor. Otherwise, a conditional use permit is required.
16. See additional regulations for drive-in and drive-through facilities in section 9-4D-4 of this chapter.
17. See additional regulations for massage therapy in section 9-4D-9 of this chapter. Additionally, see additional permit requirements in title 4, chapter 7 of the municipal code.
18. Maximum tenant space shall be 30,000 square feet; however, store size may be larger upon approval of an administrative use permit.
19. See additional regulations for semipermanent mobile food vendors in section 9-4D-13 of this chapter.
20. See additional regulations for sexually oriented businesses in section 9-4D-14 of this chapter.
21. See additional regulations for thrift stores in section 9-4D-16 of this chapter.
22. See additional regulations for fueling stations in section 9-4D-6 of this chapter.
23. Use is permitted by right when located more than 500 feet from a residential use or district.
24. See additional regulations for recreational vehicle parks in section 9-4D-11 of this chapter.
25. This "sensitive receptor" use shall not be located within:

- a. 500 feet of a freeway, urban roads carrying 100,000 vehicles per day, or rural roads carrying 50,000 vehicles per day.
- b. 1,000 feet of a distribution center (that accommodates more than 100 trucks a day, more than 40 trucks with operating transport refrigeration units [TRUs] a day, or where TRU operation exceeds 300 hours per week).
- c. 300 feet of any dry cleaning operation that uses toxic chemicals. For operations with 2 or more machines, a minimum 500 feet shall be provided. For operations with 3 or more machines, a larger distance may be required based upon consultation with the Kings County air district.
- d. 300 feet of a "large gas station", defined as a facility with a throughput of 3.6 million gallons or more per year.

26. If developed incidental to an existing charitable operation, this use is allowed subject to approval of an administrative use permit.

27. Permitted on second floors above retail and neighborhood serving office when ancillary in size and does not interfere with primary retail use.

28. Must be in conformity with the land use definitions in this chapter and title 4, chapter 8 of the municipal code as well as the Health And Safety Code section 11362.768 (which imposes additional requirements).

(Ord. 2013-05, 2-6-2014)

CHAPTER 4: LAND USES

ARTICLE C: TEMPORARY USES

9-4C-1: PURPOSE:

The purpose of this article is to establish development standards for temporary activities, such as special events and uses, to ensure the overall health, safety, and general welfare of the community is maintained. (Ord. 2013-05, 2-6-2014)

9-4C-2: PERMIT REQUIREMENTS AND EXEMPTIONS:

Uses of property (including land, buildings, and structures) and activities that are temporary in nature shall comply with the permit requirements described below. The process for application for and review and issuance of a temporary use permit shall be as described in section 9-2B-4, "Temporary Use Permit", of this title.

A. Temporary Uses Exempt From Permit Requirements: The following temporary activities and uses are allowed by right and expressly exempt from the requirement of first obtaining a temporary use permit, provided they conform to the listed development standards. Uses that fall outside of the categories defined shall be required to obtain a temporary use permit.

1. Car washes of a temporary nature (e.g., school fundraisers).
2. Construction yards, storage sheds, and construction offices (on site) in conjunction with an approved construction project where the yard and/or shed are located on the same site as the approved project.
3. Emergency public health and safety facilities established by a public agency.
4. Entertainment and assembly events held within auditoriums, stadiums, or other public assembly facilities, provided the proposed use is consistent with the intended use of the facility.
5. Entertainment and assembly events as part of an allowed permanent use (e.g., race at a raceway).
6. Events held exclusively on city property and that are in conjunction with the city use.
7. Events held exclusively on school grounds and that are in conjunction with the school use.
8. Events held exclusively on church grounds and that are in conjunction with the church use.
9. Garage and yard sales held on private property and when occurring no more than three (3) consecutive days two (2) times per calendar year.
10. Outdoor promotional events and seasonal sales related to an existing business with temporary outdoor display and sales of merchandise and seasonal sales in conjunction with an established commercial business that holds a valid business license and is in compliance with the development standards of this title.

11. Seasonal sales involving fireworks, as these uses are permitted through existing state processes and city business license.
 12. Storage containers not in conjunction with an approved construction project when:
 - a. Located on residential property for periods less than seventy two (72) hours, ~~and or~~
 - b. Located on nonresidential property for periods of no more than forty five (45) days.
 - ~~13. Temporary land uses in a zoning district that allows that land use on a permanent basis.~~
 - ~~14. Temporary community food banks held for no more than twelve (12) days per year.~~
- B. Temporary Use Permit Required: The following temporary activities and uses may be allowed, subject to the issuance of a temporary use permit prior to the commencement of the activity or use. Activities or uses that do not fall within the categories defined below, and are not otherwise exempted in subsection A of this section, shall comply with the use and development regulations and permit requirements that otherwise apply to the property.
1. Construction yards, storage sheds, and construction offices (off site) in conjunction with an approved construction project, where the yard is located on a site different from the site of the approved construction project.
 2. Entertainment and assembly events, including carnivals, circuses, concerts, fairs, festivals, food events, fundraisers, haunted houses, outdoor entertainment/sporting events, and similar events designed to attract large crowds and when not otherwise part of or consistent with a permitted use (e.g., race at a raceway).
 3. Extension of nonconforming period as provided in subsection 9-2C-6C, "Extension Of Nonconforming Period", of this title.
 4. Farmers' markets, as defined in this chapter, ~~held on private property.~~
 5. Interim agricultural uses, as defined in this chapter.
 6. ~~"Swap meets", as defined in this chapter, held on private property.~~ Temporary sales, including swap meets, flea markets, rummage sales, and similar events held on private property. Temporary sales also includes temporary outdoor sales not in conjunction with an established commercial business on the site.
 7. Seasonal sales as defined in this chapter (e.g., Halloween, Christmas), including temporary residence/security trailers, except when related to an existing business (see subsection A10 of this section).
 8. Temporary sales offices as defined in this chapter.
 9. Temporary land uses on unimproved or partially improved sites in a zoning district that allows that land use on a permanent basis.
 10. Temporary community food banks.
 911. Other temporary activities that the city determines are similar in nature and intensity to those identified above. (Ord. 2013-05, 2-6-2014)

9-4C-3: GENERAL DEVELOPMENT STANDARDS FOR TEMPORARY USES:

Standards for height, off street parking spaces, setbacks, and other structure and property development standards that apply to the category of use or the zoning district of the subject parcel shall apply to all temporary activities. The Planning Director may waive requirements Requirements for long term improvements that exceed the duration of the temporary use, including, but not limited to, landscaping and paving of parking lots, ~~shall not be imposed~~. (Ord. 2013-05, 2-6-2014)

9-4C-4: STANDARDS FOR SPECIFIC TEMPORARY USES:

The following standards shall apply to the specific temporary uses described below:

- A. Construction Yard/Storage Shed And Temporary Construction Office: Any temporary use permit for a construction yard, storage shed, or temporary construction office shall expire upon completion of the construction project, or the expiration of the accompanying building permit or improvement permit authorizing construction, whichever occurs first.
- B. Entertainment And Assembly Events: Entertainment and assembly events when not part of or consistent with a permitted use shall not be permitted for periods of longer than seven (7) consecutive days.
- C. Extension Of Nonconforming Period: As provided in subsection 9-2C-6C, "Extension Of Nonconforming Period", of this title, the twelve (12) month nonconforming period for nonconforming uses provided in chapter 2, article C, "Nonconforming Uses, Structures, And Properties", of this title, may be extended upon issuance of a temporary use permit. All approved extensions shall comply with the following standards:
 - 1. Public Improvements: The city may, as part of the approval of the extension of the nonconforming use period, require the completion of improvements to the adjacent public right of way consistent with the requirements of this title.
 - 2. Time Period: The designated approving authority shall establish a maximum time period for the extension of the legal nonconforming use status. In no event shall the extension be longer than twenty four (24) months.
- D. Farmers' Market: Farmers' markets shall not be held for more than two (2) consecutive days per week at the same location.
- E. Garage/Yard Sale: Garage sales, yard sales, and similar activities shall not occur more than two (2) times per year, with no sale exceeding three (3) consecutive days.
- F. Interim Agricultural Use: Interim agricultural uses, as defined in this chapter and of a commercial operation (e.g., using mechanized commercial equipment) shall only be allowed on vacant property a minimum of one thousand feet (1,000') from an existing residential use. No buildings or structures, other than wells, structures for conservation and drainage protection, and unpaved roads shall be permitted. Operation may include the use of commercial agricultural equipment. Access to the use shall be reviewed and approved by the public works director prior to issuance of the temporary use permit.
- G. Seasonal Sale: Seasonal sales shall only be allowed on nonresidential property. The maximum period for seasonal sales shall be forty five (45) days per sale. No more than two (2) such activities shall be allowed for a property within a twelve (12) month period.

- H. Swap Meet: Swap meets, flea markets, rummage sales, and similar activities shall only be allowed on nonresidential property or on vacant residentially zoned property that is a minimum of one thousand feet (1,000') from an existing residential use. The maximum period ~~for swap meets~~ shall be for two (2) consecutive days per sale activity. No more than four (4) such activities shall be allowed for a property within a twelve (12) month period.
- I. Temporary Sales Office: Temporary sales offices shall be solely for the sale of homes in the project within which they are located and may be kept until the project is sold out. (Ord. 2013-05, 2-6-2014)

9-4C-5: TEMPORARY IMPROVEMENTS TO PROPERTY:

- A. Temporary Improvements Allowed: The city may, on a case by case basis, allow for the improvement to property at a level less than what is required by this title to support operations of the property on a limited term basis yet still ensure public health, safety, and general welfare. This allowance shall not be used to circumvent or deviate from the requirements for public improvements required at the time of subdivision of property as required by the subdivision map act and title 8, chapter 7, "Land Division", of the municipal code.
- B. Permit Process And Requirements: Such approval shall be conducted through the temporary use permit process and the permit shall clearly identify what improvements are to be completed and what requirements are being set aside for a limited period of time, as well as the time period for which the permit is valid. The city shall only approve the permit if the improvements to be completed are those minimally necessary to ensure public health, safety, and welfare.
- C. Requirements At Conclusion Of Temporary Period: At the conclusion of the period authorized by the permit, either the property shall be brought into compliance with the requirements of this title or use of the property shall cease. (Ord. 2013-05, 2-6-2014)

CHAPTER 5: DESIGN STANDARDS

ARTICLE B: DEVELOPMENT STANDARDS BY ZONING DISTRICT

9-5B-5: FENCES AND WALLS:

- C. Permit Requirements: Except as provided below, no special planning permit or entitlement shall be required for fences or walls, except that zoning plan check shall be conducted in the event that a building permit is required.
1. Building Permit Required: A building permit is required for all fences that exceed ~~six feet (6')~~ seven (7) feet in height.

ARTICLE F: SIGNAGE

9-5F-8: STANDARDS FOR SIGNS ON CITY PROPERTY AND WITHIN PUBLIC RIGHTS OF WAY:

A. Purpose And Intent: The purpose of this section is to provide the process and standards for establishing signage on city property and public rights of way. In adopting this section, the city council acts in its proprietary capacity as to "city property", as defined in this title, within the city. This section is adopted pursuant to the city's general powers, property rights, Government Code sections 65850(b), 38774, and 38775, Business And Professions Code section 5200 et seq., and Penal Code section 556 et seq.

B. Intent As To Public Forum: The city declares its intent that not all city property and public rights of way shall function as a designated public forum, unless some specific portion of city property or public rights of way is designated herein as a public forum of one particular type. In such case, the declaration as to public forum type shall apply strictly and only to the specified area and for the specified time period.

C. General Prohibition: Unless specifically authorized by this ~~section~~ chapter, no signs may be displayed on city property or within public rights of way by private parties. Any sign posted on city property or within public rights of way in violation of this section may be summarily removed by the city as a trespass and a public nuisance.

D. Governmental Signs: Unless specifically authorized by this chapter, only the city, or other local or state governmental agencies, may display signs on city property or within public rights of way. The following signs may be erected and displayed on city property:

- ~~1. Traffic control and traffic directional signs erected by the city or another governmental unit;~~
- ~~2. Official notices required or authorized by law;~~
- ~~3. Signs placed by the city in furtherance of its governmental functions; and~~
- ~~4. Signs allowable under subsection F of this section.~~

E. Temporary Signs Displaying Noncommercial Message: In areas qualifying as traditional public forums, private persons may display noncommercial message signs thereon, provided that such signs conform to all of the following:

1. The signs must be personally held by a person or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet (5') of the sign at all times.
2. The maximum aggregate size of all signs held or personally attended by a single person is six (6) square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count toward the maximum aggregate sign area.

F. Street Banner/Sign Program:

1. The street banner/sign program is limited to signs, banners, or other displays placed by the city ~~and/or redevelopment agency~~ over or on city streets, relating to any civic or public events or activities.
2. For purposes of this section, "civic event or activity" shall mean the following: Any event or activity organized or sponsored by the city ~~or redevelopment agency~~, including, but not limited to:
 - a. Any public program or educational activity; and
 - b. The commemoration or celebration of any historical date, event or person, holiday, or persons or events of local, state, or national significance.
3. For purposes of this section, "sponsored by" shall mean the city ~~and/or redevelopment agency~~ is:
 - a. Participating in an official capacity in the planning, preparation or promotion of the event or activity; or
 - b. Contributing twenty five percent (25%) of the total estimated costs of the civic event or activity, or at least one thousand dollars (\$1,000.00), whichever is less. This contribution may take the form of funds, labor, staff time, materials, fee subsidies, or any combination of the foregoing.
4. Street banners shall be allowed to be displayed up to thirty (30) days prior to the event and shall be removed within nine (9) days after the event has ended.
5. Street signs shall be located so as not to obscure vision or create other public safety hazards as determined by the public works director. (Ord. 2013-05, 2-6-2014)

Attachment: Draft Resolution

RESOLUTION #2016-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING APPROVAL OF ZONING TEXT AMENDMENT NO. 2016-01, AN
AMENDMENT TO THE CITY OF LEMOORE MUNICIPAL CODE TITLE 9**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on March 14, 2016, at 7:00 p.m. on said day, it was moved by Commission member _____, seconded by Commission member _____ and carried that the following Resolution be adopted:

WHEREAS, the City staff has proposed changes to text of the Lemoore Zoning Ordinance; and

WHEREAS, the proposed changes affect portions of the following articles within the Lemoore Municipal Code related to Zoning: Article C of Chapter 2 of Title 9 (Nonconforming Uses, Structures, and Properties); Article A of Chapter 4 of Title 9 (Land Use Classification System); Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements); Article C or Chapter 4 of Title 9 (Temporary Uses); Article B of Chapter 5 of Title 9 (Development Standards by Zone District); and Article F of Chapter 5 of Title 9 (Signage); and

WHEREAS, the proposed changes do not affect the existing locations of the zones on the Official Zoning Map, but are technical changes to the text of the Zoning Ordinance; and

WHEREAS, the City of Lemoore, acting as lead agency, has determined that the project is Categorically Exempt from CEQA under CEQA Guidelines Section 15305 (Minor Alterations to Land Use Limitations); and

WHEREAS, the Planning Commission of the City of Lemoore, after duly published notice, held a public hearing before said Commission on March 14, 2016;

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore recommends that the Lemoore City Council find that the project is Categorically Exempt from CEQA under CEQA Guidelines Section 15305 (Minor Alterations to Land Use Limitations) consistent with the California Environmental Quality Act (CEQA.)

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore recommends approval to the Lemoore City Council of the proposed Zoning Code Amendments, as attached in Attachment A.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on March 14, 2016, by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

Ron Meade, Chairperson

ATTEST:

Planning Commission Secretary

Attachment A

The following format identifies which Zoning Ordinance text is recommended by the Planning Commission for addition or deletion.

- ~~Strikeout~~ indicates existing Zoning Ordinance text recommended for deletion.
- Underlined text indicates text recommended for addition.
- Text without any strikeout or underlines is existing text, and will not be changed.

CHAPTER 4: LAND USES

ARTICLE A: LAND USE CLASSIFICATION SYSTEM

9-4A-5: DESCRIPTION OF LAND USES:

This section provides a listing and definition of all the land uses referred to elsewhere in this chapter. The uses are organized alphabetically for ease of use.

I. "I" Definitions:

INTERIM AGRICULTURAL USE: The use of property for crop production or other agricultural use on a temporary basis until such time as it is economically viable to develop the property to the highest and best use as defined by the general plan. ~~Interim agricultural uses are considered temporary uses regulated by article C, "Temporary Uses", of this chapter.~~ These uses involve commercial agricultural operations, including aspects such as mechanized commercial equipment, and are different from community based operations described in community gardens.

T. "T" Definitions:

TRUCK STOP/TRAVEL CENTER: A commercial facility that provides multiple services to travelers and truck drivers, such as fueling stations, restaurants, rest areas, convenience sales, vehicle parking, and/or shower and laundry facilities.

ARTICLE B: ALLOWED USES AND REQUIRED ENTITLEMENTS

See Table 9-4B-2 on next pages.

9-4B-2: ALLOWED USES AND REQUIRED ENTITLEMENTS; BASE ZONING DISTRICTS:

TABLE 9-4B-2
ALLOWED USES AND REQUIRED ENTITLEMENTS FOR BASE ZONING DISTRICTS

P	=	Permitted by right	N	=	Not permitted
A	=	Administrative use permit required	C	=	Conditional use permit required

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Residential uses:																				
Caretaker housing	C	P	P	P	P	P	P	C	N	C	C	P	P	P	P	C	C	P	P	P
Child daycare facility- family daycare home, large ¹	N	A	A	A	A	A	A	N	N	N	N	A	A	A	A	N	N	N	N	N
Child daycare facility- family daycare home, small	N	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Dwelling, multi-family	N	N	N	N	P	P	P	N	N	N	N	P ²	P	P	P	P ²⁷	N	C	N	N
Dwelling, second unit ³	N	A	A	A	A	A	A	N	N	N	N	N	A	A	N	N	N	N	N	N
Dwelling, single-family	P	P	P	P	P	P	N	N	N	N	N	N	A	P	N	N	N	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Dwelling, two-family	N	N	A	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Emergency shelter	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	C	N
Employee housing, large	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Employee housing, small	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Gated residential community	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N
Group residential	N	N	N	N	N	P	P	N	N	N	C	P	P	P	P	N	N	N	N	N
Guesthouse	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Live-work facility ⁵	N	N	N	N	N	N	A	N	N	N	N	A	A	A	A	A	N	N	N	N
Medical marijuana cultivation - personal use	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	N	N	N	N	N	N	N	N	N	N	N	N	N
Mobilehome park ⁶	N	C	C	C	C	A	A	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational vehicle park ²⁴	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N
Residential care facility ²⁵	N	N	N	N	C	C	P	N	N	N	N	N	N	N	C	C	N	N	N	N
Residential care home	N	P	P	P	P	P	P	N	N	N	N	C	P	P	P	N	N	N	N	N
Single room occupancy (SRO) facility	N	N	N	N	N	N	P	N	N	N	N	C	C	C	N	N	N	N	N	N
Supportive housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Transitional housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Agricultural and animal related uses:																				
Agricultural tourism	P	N	N	N	N	N	N	N	N	N	P	N	C	C	N	N	N	N	P	P
Animal husbandry	C	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	C	C
Animal keeping	P	P	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N
Animal sales and grooming	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N
Crop production	P	C	A ⁷	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	A	A
Equestrian facility, commercial	P	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N
Equestrian facility, hobby	C	P	N	N	N	N	N	N	N	C	C	N	N	N	N	N	N	N	N	N
Household pets:																				
4 or less	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
More than 4	C	C	C	C	C	C	C	N	N	N	N	C	C	C	C	N	N	N	N	N
Kennel	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ⁸	C ⁸	P	N
Veterinary facility	P	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
Recreation, resource preservation, open space, education, and public assembly uses:																				
Assembly uses	A	N	C	C	A	A	A	N	N	A	A	A	A	A	A	A	A	P	C	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Cemetery/mausoleum	C	N	N	N	N	N	N	N	N	C	P	N	N	N	N	N	N	N	N	N
Community food bank	N	N	C ²⁶	C ²⁶	C ²⁶	C ²⁶	N	N	N	A	A	C N	A	N	C	N	N	N	N	N
Community garden ⁹	A	A	A	A	A	A	A	N	N	A	A	A	A	A	N	N	N	A	N	N
Indoor amusement/entertainment facility ¹⁰	N	N	N	N	N	N	N	N	N	P	P	P	P	C	P	P	P	N	C A	N
Indoor fitness and sports facility	N	N	N	N	N	N	N	N	N	P	P	P	P	C	P	P	P	C	C A	N
Library/museum	N	N	N	N	N	N	N	N	N	P	P	P	P	P	C	N	C	P	N C	N
Outdoor commercial recreation	N	N	N	N	N	N	N	N	N	P	P	P ¹¹	P ¹¹	P ¹¹	N P ¹¹	N	N	N	C	N
Park/public plaza	N	P	P	P	P	P	P	N	N	P	P	P	P	P	P	P	P	P	P	P
Resource protection and restoration	P	N	N	N	N	N	N	P	N	P	P	N	N	N	N	N	N	N	N	N
Resource related recreation	P	N	N	N	N	N	N	P	N	P	P	N	N	N	N	N	N	N	N	N
School, academic - private and charter	N	N	C	C	C	C	C	N	N	N	P	N	N	N	C	N	N	N	N C	N
School, academic - public	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
School, colleges and universities - private	N	N	N	N	N	N	N	N	N	N	P	N C ¹¹	N C ¹¹	N	C	N	N	P	C	N
School, colleges and universities - public	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
School, equipment/machinery/ vehicle training	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	P	C
School, specialized education and training/studio	N	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	P	P	C	N
Theater/auditorium	N	N	N	N	N	N	N	N	N	P	P	P	C	C	P	P	P	N	N	N
Utility, transportation, public facility, and communication uses:																				
Airport	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Ambulance service	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	N
Broadcasting and recording studio	N	N	N	N	N	N	N	N	N	N	N	P ¹¹	P ¹¹	C ¹¹	C	C	P	P	P	N
Bus and transit shelter	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Fuel storage and distribution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Heliport	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Park and ride facility	N	N	N	N	N	N	N	N	N	P	P	P	P	N	P	P	P	P	P	P
Parking facility	N	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	P	P	P	P
Public safety facility	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Solar power station	C	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	C	C
Transit facility	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	P	P
Transit station/terminal	N	N	N	N	N	N	N	N	N	N	P	P	N	N	P	P	P	C	P	P
<u>Truck stop/travel center</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>
Utility facility and infrastructure	P	P	P	P	P	P	P	P	N	P	P	N	N	N	P	P	P	P	P	P
Wireless telecommunication facility:																				
Major ¹²	N	N	N	N	N	N	N	N	N	C ¹³	C ¹³	C ¹³	C ¹³	N	C ¹³	C ¹³	C ¹³	N	C ¹³	C ¹³
Minor ¹²	P	P	P	P	P	P	P	P	N	P	P	P	P	P	P	P	P	P	P	P
Retail, service, and office uses:																				
Adult day healthcare center	N	N	N	N	N	N	C	N	N	N	N	N	C	C	C	C	C	P	N	N
Alcoholic beverage sales, off site ¹⁴	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Alcoholic beverage sales, on site ¹⁴	See "bar/nightclub" and "restaurant"																			
Art, antique, collectible	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	N	N	N
Artisan shop	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	N	N	N
Banks and financial services	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	P	N <u>C</u>	N
Bar/nightclub ¹⁴	N	N	N	N	N	N	N	N	N	N	N	C	C	N	C	C	C	N	N	N
Bed and breakfast inn	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	C	N	N	N	N
Building materials store/yard	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	P	N	N <u>P</u>	P	P	N	N <u>P</u>	N
Business support services	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C	P	P	P	P	N	N
Call center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P <u>N</u>	N	P	C	N
Card room	N	N	N	N	N	N	N	N	N	N	N	C ¹⁵	C ¹⁵	N	N	N	C	N	N	N
Check cashing business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N
Child daycare facility - child daycare center ²⁵	N	N	N	C	C	A	A	N	N	N	N	C	N	P	P	P	P	P	N	N
Consignment store	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	C ¹⁵	N	C <u>P</u>	P	P	P	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Convenience store	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C ¹⁵	P	P	P	P	N	N
Crematory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	P
Drive-in and drive-through sales and service ¹⁶	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N A	C A	A	N C	N A	N
Equipment sales and rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	C	N	P	P
Garden center/plant nursery	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	N	N A	P	P	N	N A	N
Grocery store/supermarket	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N P	P	P	N	N	N
Hookah parlor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hotel and motel	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	P	P	P	N	N
Maintenance and repair of small equipment	N	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C ¹⁵	C	P	P	P	P	P
Massage therapy ¹⁷	N	N	N	N	N	N	N	N	N	N	N	A	N	N	A	A	A	N	N	N
Medical marijuana dispensary	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Medical services, extended care	N	N	N	N	N	N	N	N	N	N	N	C	C	C	P	P	P	P	N	N
Medical services, general	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Medical services, hospital ²⁵	N	N	C	C	C	C	C	N	N	N	N	N	N	N	C	C	P	P	C	N
Mortuary/funeral home	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	P	P	P	N	N
Neighborhood market	N	N	N	N	N	N	N	N	N	N	N	A	A	N	P	P	P	N	N	N
Office, accessory	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	P	P
Office, business and professional	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	A	A	P	N	N
Pawnshop	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	P	P	N	N	N
Personal services	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N
Restaurant	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
Retail, accessory	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P
Retail, general	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	P ^{11,15}	P ^{11,15}	P ¹⁸	P ¹⁸	P	N	N	N
Retail, warehouse club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	P	N	N	N
Semipermanent mobile food vehicle ¹⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	A	A	A	N	A	N
Sexually oriented business ²⁰	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Smoke shop	N	N	N	N	N	N	N	N	N	N	N	C N	N	N	C	C	P	N	N	N

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Tattoo parlor	N	N	N	N	N	N	N	N	N	N	N	<u>GN</u>	C	N	N	C	C	N	N	N
Thrift store ²¹	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N <u>A</u>	A	A	N	N	N
Automobile and vehicle uses:																				
Auto and vehicle rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P <u>C</u>	N <u>C</u>	P <u>C</u>	P <u>C</u>	P	P
Auto and vehicle sales	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N <u>C</u>	N	P	N	G <u>P</u>	N
Auto and vehicle sales, wholesale	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Auto and vehicle storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Auto parts sales	N	N	N	N	N	N	N	N	N	N	N	N	P ^{11,15}	N	N <u>P</u>	P	P	P	P	P
Auto vehicle dismantling	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Car washing and detailing	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N <u>C</u>	C	P	N	P	P
Fueling station ²²	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N <u>C</u>	C	A	A	A	A
Vehicle services - major	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	N	P	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Vehicle services - minor	N	N	N	N	N	N	N	N	N	N	N	N	C ²³	N	C ²³	C ²³	C ²³	N	C ²³	C ²³
Industrial, manufacturing, and processing uses:																				
Agricultural products processing	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Freight yard/truck terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Manufacturing, major	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Manufacturing, minor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	P
Manufacturing, small scale	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N C	N	N	P ²³	P	P
Medical marijuana cultivation - collective or cooperative cultivation; dispensary	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P ²⁸	N
Printing and publishing	N	N	N	N	N	N	N	N	N	N	N	N	C ¹¹	N	N C	P	P	P	P	P
Recycling facility - collection	N	N	N	N	N	N	N	N	N	N	N	N	C	N	P A	P A	P A	N	P	P
Recycling facility - processing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Recycling facility - scrap and dismantling	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P
Research and development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>NC</u>	N	N	P ²³	P	P
Storage, personal storage facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>GN</u>	N	N	N	P	P
Storage, warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Storage, yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Wholesaling and distribution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Temporary uses	See article C, "Temporary Uses", of this chapter																			
Nonconforming uses	See chapter 2, article C, "Nonconforming Uses, Structures, And Properties", of this title																			

Notes:

1. See additional regulations for large family daycare homes in section 9-4D-7 of this chapter.
2. Only permitted on the first floor when located along an alley or side street; otherwise must be on an upper floor.
3. See additional regulations for second dwelling units in section 9-4D-12 of this chapter.
4. Reserved.
5. See additional regulations for live-work facilities in section 9-4D-8 of this chapter.
6. See additional regulations for mobilehome parks in section 9-4D-10 of this chapter.
7. Minimum lot size shall be 20,000 square feet.
8. All activities and storage shall be located within an enclosed structure(s).
9. See additional regulations for community gardens in section 9-4D-3 of this chapter.
10. See special permit requirements in title 3, chapter 4, article C of the municipal code.
11. Maximum tenant space shall be 10,000 square feet.
12. See additional regulations for wireless telecommunication facilities in section 9-4D-15 of this chapter.
13. Facilities less than 75 feet tall are permitted by right, except that major site plan and architectural review is still required. Otherwise, a conditional use permit is required in addition to major site plan and architectural review.
14. See additional regulations for alcoholic beverage sales in section 9-4D-2 of this chapter.
15. Use is permitted by right when located on the ground floor. Otherwise, a conditional use permit is required.
16. See additional regulations for drive-in and drive-through facilities in section 9-4D-4 of this chapter.
17. See additional regulations for massage therapy in section 9-4D-9 of this chapter. Additionally, see additional permit requirements in title 4, chapter 7 of the municipal code.
18. Maximum tenant space shall be 30,000 square feet; however, store size may be larger upon approval of an administrative use permit.
19. See additional regulations for semipermanent mobile food vendors in section 9-4D-13 of this chapter.
20. See additional regulations for sexually oriented businesses in section 9-4D-14 of this chapter.
21. See additional regulations for thrift stores in section 9-4D-16 of this chapter.
22. See additional regulations for fueling stations in section 9-4D-6 of this chapter.
23. Use is permitted by right when located more than 500 feet from a residential use or district.
24. See additional regulations for recreational vehicle parks in section 9-4D-11 of this chapter.
25. This "sensitive receptor" use shall not be located within:
 - a. 500 feet of a freeway, urban roads carrying 100,000 vehicles per day, or rural roads carrying 50,000 vehicles per day.
 - b. 1,000 feet of a distribution center (that accommodates more than 100 trucks a day, more than 40 trucks with operating transport refrigeration units [TRUs] a day, or where TRU operation exceeds 300 hours per week).
 - c. 300 feet of any dry cleaning operation that uses toxic chemicals. For operations with 2 or more machines, a minimum 500 feet shall be provided. For operations with 3 or more machines, a larger distance may be required based upon consultation with the Kings County air district.
 - d. 300 feet of a "large gas station", defined as a facility with a throughput of 3.6 million gallons or more per year.
26. If developed incidental to an existing charitable operation, this use is allowed subject to approval of an administrative use permit.
27. Permitted on second floors above retail and neighborhood serving office when ancillary in size and does not interfere with primary retail use.
28. Must be in conformity with the land use definitions in this chapter and title 4, chapter 8 of the municipal code as well as the Health And Safety Code section 11362.768 (which imposes additional requirements).(Ord. 2013-05, 2-6-2014)

CHAPTER 4: LAND USES

ARTICLE C: TEMPORARY USES

9-4C-1: PURPOSE:

The purpose of this article is to establish development standards for temporary activities, such as special events and uses, to ensure the overall health, safety, and general welfare of the community is maintained. (Ord. 2013-05, 2-6-2014)

9-4C-2: PERMIT REQUIREMENTS AND EXEMPTIONS:

Uses of property (including land, buildings, and structures) and activities that are temporary in nature shall comply with the permit requirements described below. The process for application for and review and issuance of a temporary use permit shall be as described in section 9-2B-4, "Temporary Use Permit", of this title.

A. Temporary Uses Exempt From Permit Requirements: The following temporary activities and uses are allowed by right and expressly exempt from the requirement of first obtaining a temporary use permit, provided they conform to the listed development standards. Uses that fall outside of the categories defined shall be required to obtain a temporary use permit.

1. Car washes of a temporary nature (e.g., school fundraisers).
2. Construction yards, storage sheds, and construction offices (on site) in conjunction with an approved construction project where the yard and/or shed are located on the same site as the approved project.
3. Emergency public health and safety facilities established by a public agency.
4. Entertainment and assembly events held within auditoriums, stadiums, or other public assembly facilities, provided the proposed use is consistent with the intended use of the facility.
5. Entertainment and assembly events as part of an allowed permanent use (e.g., race at a raceway).
6. Events held exclusively on city property and that are in conjunction with the city use.
7. Events held exclusively on school grounds and that are in conjunction with the school use.
8. Events held exclusively on church grounds and that are in conjunction with the church use.
9. Garage and yard sales held on private property and when occurring no more than three (3) consecutive days two (2) times per calendar year.
10. Outdoor promotional events and seasonal sales related to an existing business with temporary outdoor display and sales of merchandise and seasonal sales in conjunction with an established commercial business that holds a valid business license and is in compliance with the development standards of this title.

11. Seasonal sales involving fireworks, as these uses are permitted through existing state processes and city business license.
 12. Storage containers not in conjunction with an approved construction project when:
 - a. Located on residential property for periods less than seventy two (72) hours, ~~and or~~
 - b. Located on nonresidential property for periods of no more than forty five (45) days.
 - ~~13. Temporary land uses in a zoning district that allows that land use on a permanent basis.~~
 - ~~14. Temporary community food banks held for no more than twelve (12) days per year.~~
- B. Temporary Use Permit Required: The following temporary activities and uses may be allowed, subject to the issuance of a temporary use permit prior to the commencement of the activity or use. Activities or uses that do not fall within the categories defined below, and are not otherwise exempted in subsection A of this section, shall comply with the use and development regulations and permit requirements that otherwise apply to the property.
1. Construction yards, storage sheds, and construction offices (off site) in conjunction with an approved construction project, where the yard is located on a site different from the site of the approved construction project.
 2. Entertainment and assembly events, including carnivals, circuses, concerts, fairs, festivals, food events, fundraisers, haunted houses, outdoor entertainment/sporting events, and similar events designed to attract large crowds and when not otherwise part of or consistent with a permitted use (e.g., race at a raceway).
 3. Extension of nonconforming period as provided in subsection 9-2C-6C, "Extension Of Nonconforming Period", of this title.
 4. Farmers' markets, as defined in this chapter, ~~held on private property.~~
 5. Interim agricultural uses, as defined in this chapter.
 6. ~~"Swap meets", as defined in this chapter, held on private property.~~ Temporary sales, including swap meets, flea markets, rummage sales, and similar events held on private property. Temporary sales also includes temporary outdoor sales not in conjunction with an established commercial business on the site.
 7. Seasonal sales as defined in this chapter (e.g., Halloween, Christmas), including temporary residence/security trailers, except when related to an existing business (see subsection A10 of this section).
 8. Temporary sales offices as defined in this chapter.
 9. Temporary land uses on unimproved or partially improved sites in a zoning district that allows that land use on a permanent basis.
 10. Temporary community food banks.
 911. Other temporary activities that the city determines are similar in nature and intensity to those identified above. (Ord. 2013-05, 2-6-2014)

9-4C-3: GENERAL DEVELOPMENT STANDARDS FOR TEMPORARY USES:

Standards for height, off street parking spaces, setbacks, and other structure and property development standards that apply to the category of use or the zoning district of the subject parcel shall apply to all temporary activities. The Planning Director may waive requirements Requirements for long term improvements that exceed the duration of the temporary use, including, but not limited to, landscaping and paving of parking lots, ~~shall not be imposed.~~ (Ord. 2013-05, 2-6-2014)

9-4C-4: STANDARDS FOR SPECIFIC TEMPORARY USES:

The following standards shall apply to the specific temporary uses described below:

- A. Construction Yard/Storage Shed And Temporary Construction Office: Any temporary use permit for a construction yard, storage shed, or temporary construction office shall expire upon completion of the construction project, or the expiration of the accompanying building permit or improvement permit authorizing construction, whichever occurs first.
- B. Entertainment And Assembly Events: Entertainment and assembly events when not part of or consistent with a permitted use shall not be permitted for periods of longer than seven (7) consecutive days.
- C. Extension Of Nonconforming Period: As provided in subsection 9-2C-6C, "Extension Of Nonconforming Period", of this title, the twelve (12) month nonconforming period for nonconforming uses provided in chapter 2, article C, "Nonconforming Uses, Structures, And Properties", of this title, may be extended upon issuance of a temporary use permit. All approved extensions shall comply with the following standards:
 - 1. Public Improvements: The city may, as part of the approval of the extension of the nonconforming use period, require the completion of improvements to the adjacent public right of way consistent with the requirements of this title.
 - 2. Time Period: The designated approving authority shall establish a maximum time period for the extension of the legal nonconforming use status. In no event shall the extension be longer than twenty four (24) months.
- D. Farmers' Market: Farmers' markets shall not be held for more than two (2) consecutive days per week at the same location.
- E. Garage/Yard Sale: Garage sales, yard sales, and similar activities shall not occur more than two (2) times per year, with no sale exceeding three (3) consecutive days.
- F. Interim Agricultural Use: Interim agricultural uses, as defined in this chapter and of a commercial operation (e.g., using mechanized commercial equipment) shall only be allowed on vacant property a minimum of one thousand feet (1,000') from an existing residential use. No buildings or structures, other than wells, structures for conservation and drainage protection, and unpaved roads shall be permitted. Operation may include the use of commercial agricultural equipment. Access to the use shall be reviewed and approved by the public works director prior to issuance of the temporary use permit.
- G. Seasonal Sale: Seasonal sales shall only be allowed on nonresidential property. The maximum period for seasonal sales shall be forty five (45) days per sale. No more than two (2) such activities shall be allowed for a property within a twelve (12) month period.

- H. Swap Meet: Swap meets, flea markets, rummage sales, and similar activities shall only be allowed on nonresidential property or on vacant residentially zoned property that is a minimum of one thousand feet (1,000') from an existing residential use. The maximum period ~~for swap meets~~ shall be for two (2) consecutive days per sale activity. No more than four (4) such activities shall be allowed for a property within a twelve (12) month period.
- I. Temporary Sales Office: Temporary sales offices shall be solely for the sale of homes in the project within which they are located and may be kept until the project is sold out. (Ord. 2013-05, 2-6-2014)

9-4C-5: TEMPORARY IMPROVEMENTS TO PROPERTY:

- A. Temporary Improvements Allowed: The city may, on a case by case basis, allow for the improvement to property at a level less than what is required by this title to support operations of the property on a limited term basis yet still ensure public health, safety, and general welfare. This allowance shall not be used to circumvent or deviate from the requirements for public improvements required at the time of subdivision of property as required by the subdivision map act and title 8, chapter 7, "Land Division", of the municipal code.
- B. Permit Process And Requirements: Such approval shall be conducted through the temporary use permit process and the permit shall clearly identify what improvements are to be completed and what requirements are being set aside for a limited period of time, as well as the time period for which the permit is valid. The city shall only approve the permit if the improvements to be completed are those minimally necessary to ensure public health, safety, and welfare.
- C. Requirements At Conclusion Of Temporary Period: At the conclusion of the period authorized by the permit, either the property shall be brought into compliance with the requirements of this title or use of the property shall cease. (Ord. 2013-05, 2-6-2014)

CHAPTER 5: DESIGN STANDARDS

ARTICLE B: DEVELOPMENT STANDARDS BY ZONING DISTRICT

9-5B-5: FENCES AND WALLS:

- C. Permit Requirements: Except as provided below, no special planning permit or entitlement shall be required for fences or walls, except that zoning plan check shall be conducted in the event that a building permit is required.
1. Building Permit Required: A building permit is required for all fences that exceed ~~six feet (6')~~ seven (7) feet in height.

ARTICLE F: SIGNAGE

9-5F-8: STANDARDS FOR SIGNS ON CITY PROPERTY AND WITHIN PUBLIC RIGHTS OF WAY:

A. Purpose And Intent: The purpose of this section is to provide the process and standards for establishing signage on city property and public rights of way. In adopting this section, the city council acts in its proprietary capacity as to "city property", as defined in this title, within the city. This section is adopted pursuant to the city's general powers, property rights, Government Code sections 65850(b), 38774, and 38775, Business And Professions Code section 5200 et seq., and Penal Code section 556 et seq.

B. Intent As To Public Forum: The city declares its intent that not all city property and public rights of way shall function as a designated public forum, unless some specific portion of city property or public rights of way is designated herein as a public forum of one particular type. In such case, the declaration as to public forum type shall apply strictly and only to the specified area and for the specified time period.

C. General Prohibition: Unless specifically authorized by this ~~section~~ chapter, no signs may be displayed on city property or within public rights of way by private parties. Any sign posted on city property or within public rights of way in violation of this section may be summarily removed by the city as a trespass and a public nuisance.

D. Governmental Signs: Unless specifically authorized by this chapter, only the city, or other local or state governmental agencies, may display signs on city property or within public rights of way. ~~The following signs may be erected and displayed on city property:~~

- ~~1. Traffic control and traffic directional signs erected by the city or another governmental unit;~~
- ~~2. Official notices required or authorized by law;~~
- ~~3. Signs placed by the city in furtherance of its governmental functions; and~~
- ~~4. Signs allowable under subsection F of this section.~~

E. Temporary Signs Displaying Noncommercial Message: In areas qualifying as traditional public forums, private persons may display noncommercial message signs thereon, provided that such signs conform to all of the following:

1. The signs must be personally held by a person or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet (5') of the sign at all times.
2. The maximum aggregate size of all signs held or personally attended by a single person is six (6) square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count toward the maximum aggregate sign area.

F. Street Banner/Sign Program:

1. The street banner/sign program is limited to signs, banners, or other displays placed by the city ~~and/or redevelopment agency~~ over or on city streets, relating to any civic or public events or activities.

2. For purposes of this section, "civic event or activity" shall mean the following: Any event or activity organized or sponsored by the city ~~or redevelopment agency~~, including, but not limited to:

a. Any public program or educational activity; and

b. The commemoration or celebration of any historical date, event or person, holiday, or persons or events of local, state, or national significance.

3. For purposes of this section, "sponsored by" shall mean the city ~~and/or redevelopment agency~~ is:

a. Participating in an official capacity in the planning, preparation or promotion of the event or activity; or

b. Contributing twenty five percent (25%) of the total estimated costs of the civic event or activity, or at least one thousand dollars (\$1,000.00), whichever is less. This contribution may take the form of funds, labor, staff time, materials, fee subsidies, or any combination of the foregoing.

4. Street banners shall be allowed to be displayed up to thirty (30) days prior to the event and shall be removed within nine (9) days after the event has ended.

5. Street signs shall be located so as not to obscure vision or create other public safety hazards as determined by the public works director. (Ord. 2013-05, 2-6-2014)