

The City of Hanford
CALIFORNIA



City Council Meeting Agenda

September 28, 2016
5:30 PM – Joint Meeting w/ Planning Commission
Training Room
319 N. Douty

CALL TO ORDER JOINT MEETING:

ROLL CALL:

FLAG SALUTE:

PUBLIC COMMENT - JOINT MEETING:

Comments from the public are limited to items on the agenda (GC54954.3a). A maximum of five minutes is allowed for each speaker.

GENERAL BUSINESS:

A. Zoning Ordinance Update

ADJOURNMENT:

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available to public inspection in the City Clerk's Office located at 319 N. Douty Street, Hanford, California 93230, during normal business hours. Such agendas are also available at the city's website, www.cityofhanfordca.com subject to staff's ability to post the agenda before the meeting.

If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's office, 559-585-2515, 319 N. Douty Street, Hanford, California 93230, at least 2 days prior to the meeting {28 CFR 35.102.35.104 ADA Title II}



AGENDA STAFF REPORT

MEETING DATE: 9/28/2016	AGENDA SECTION: A
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SUBJECT:

Zoning Ordinance Update

RECOMMENDATION:

That the City Council and the Planning Commission continue to review and discuss the update to the Zoning Ordinance.

The second half of the draft of the Zoning Ordinance Update is attached.

FISCAL IMPACT:**ATTACHMENTS:**

Draft Zoning Ordinance

Chapter 17.48

HISTORIC OVERLAY ZONE

Sections:

17.48.005	Purpose.
17.48.010	Application.
17.48.020	Permitted uses.
17.48.030	Definitions.
17.48.040	Regulation of Improvements.
17.48.050	Designation of historic districts, buildings and sites.
17.48.055	Ordinary maintenance and repairs.
17.48.060	Minor improvement permits.
17.48.070	Historic resource permits.
17.48.080	Deviation from standards.
17.48.090	Appeals.
17.48.100	Building permits.
17.48.110	Lapse of permits.
17.48.120	Revocation.
17.48.130	Permits to run with the land.
17.48.140	Penalties for improvements without permits.
17.48.150	Design criteria.
17.48.160	Demolition of historic structures.
17.48.170	Substandard buildings.
17.48.180	Duty to keep in good repair.
17.48.190	Evidence of hardship.

17.48.005 Purpose.

The council finds the protection, enhancement, preservation and use of structures in districts of historic, architectural and engineering significance located within the city to be of cultural and aesthetic benefit to the community. It is further found that respect of the heritage of the city will enhance the economic, cultural and aesthetic standing of the city. The purpose of this chapter is to promote the general welfare of the public through:

A. The protection, enhancement, preservation and use of structures which represent past eras, events and persons important in history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and

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irreplaceable assets to the city and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived;

B. The development and maintenance of complementary settings and environment for such structures and/or districts;

C. The enhancement of property values; the stabilization of neighborhoods and areas of the city; the increase of economic and financial benefits to the city and its property owners and inhabitants; and the promotion of visitor trade and interest;

D. The preservation and encouragement of a city of varied architectural styles reflecting the cultural, social, economic, political and architectural phases of its history;

E. The educational and cultural enrichment of this and future generations by fostering knowledge of our heritage; and

F. The promotion and encouragement of continued private ownership and utilization of such structures so that the objectives set forth in this section can be attained under this policy.

17.48.010 Application.

A. This chapter shall apply to the area identified as “Historic Overlay Zone” as defined on the Zoning Map. The Historic Overlay zone is a geographically definable area, possessing a significant concentration and continuity of sites, building, structures, or objects unified by past events and aesthetically by plan and physical development.

B. This chapter shall also apply to all buildings and sites designated by the City Council as a historic building or historic site.

C. The requirements of this chapter shall be considered in conjunction with the requirements of any base zone district. If a conflict exists between the requirements of the base zone district and this chapter, the requirements of this article shall apply.

17.48.020 Permitted uses.

Uses shall be permitted or not permitted, conditional permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.020 and Section 17.08.030 based on the base zone district in which the use is located.

17.48.030 Definitions.

For the purposes of this chapter, unless otherwise defined, the following words and phrases used in this chapter are defined as follows:

“Alteration” means any exterior change or modification, through public or private action, of any property located within a designated historic district or site or a designated historical building, including exterior changes to or the modification of a structure, architectural details or visual characteristics, such as paint color and surface texture, grading, surface paving, new structures, removal of trees and other natural features, disturbance of archeological sites or areas, and the placement or removal of any exterior objects, such as signs, plaques, light fixtures, street furniture affixed to the pavement, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

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“Contributing building” means a structure within a historic district which structure retains scale, mass and other architectural characteristics to the degree that it contributes to the sense of time and place of the immediate area and the district. The building may have individual architectural significance or may be one of a grouping of background buildings that jointly contribute to the character of the immediate area and the district. Contributing buildings may reflect interim modifications if those modifications do not irreparably detract from the character of the building or if the modifications reflect an architectural style or particular era important to the development of the city. Contributing buildings shall also include structures that have a strong historical tie to activities, events, or individuals important in the development of the city.

“Designated historic building” means any improvement which has special historical, cultural, aesthetic or architectural character, interest or value as part of the development, heritage or history of the city, the state or the nation and which has been designated as such pursuant to the provisions of this chapter.

“Designated historic site” means a parcel of property, or part thereof, on which a designated historic building is situated, and any abutting parcel or part thereof constituting part of the parcel of property on which the designated historic building is situated, and which has been designated a designated historic site pursuant to the provisions of this chapter.

“Exterior architectural feature” means the architectural elements embodying the style, design, general arrangement and components of all of the outer surfaces of an improvement, including without limitation, the kind, color and texture of the building materials, and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

“Historic district” means the area within the Historic Overlay zone, as defined on the Zoning Map.

“Improvement” means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical improvement of real property, or any part of such improvement.

“Noncontributing building” means a structure within a historic district which, in its present condition, does not contribute to the sense of time and place of the immediate area and the district. “Noncontributing building” may include those buildings constructed after the time period featured in a historic district or buildings in which the historical characteristics have been irreparably modified. “Noncontributing building” may also include buildings which, while noncontributing at present, may become contributing through the application of appropriate design criteria.

“Preservation” means the identification, study, protection, restoration, rehabilitation or enhancement of historical resources.

17.48.040 Regulation of Improvements.

No improvement or exterior architectural feature of any improvement shall be constructed or altered or enlarged which is located in the Historic Overlay District or identified as a historic site outside the District unless a permit is issued pursuant to the terms of this chapter. The section shall not apply to any interior alteration which has no effect on the condition or appearance of any exterior architectural feature of an improvement. No structure listed on a State or National

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Register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter.

17.48.050 Designation of historic districts, buildings and sites.

A. For the purposes of this chapter, an improvement may be designated a historic building and property may be designated as a historic site by the City Council pursuant to this section if any one of the following criteria is met:

1. Historical and Cultural Significance.

- a. The structure, property or district proposed for designation is representative of a distinct historical period, type, style, region or way of life;
- b. The structure, property or district proposed for designation is, or contains, a type of building or buildings which was once common but is now rare;
- c. The structure, property or district proposed for designation was connected with someone renowned or important or a local personality;
- d. The structure, property or district proposed for designation is connected with a business or use which was once common but is now rare;
- e. The structure, property or district proposed for designation represents the work of a master builder, engineer, designer, artist or architect whose individual genius influenced his era;
- f. The structure, property or district proposed for designation is the site of an important historic event or is associated with events which have made a meaningful contribution to the nation, state or community; or
- g. The structure, property or district proposed for designation has a high potential of yielding information of archeological interest.

2. Historic, Architectural and Engineering Significance.

- a. The structure, property or district proposed for designation exemplifies a particular architectural style or way of life important to the city;
- b. The structure, property or district proposed for designation exemplifies the best remaining architectural type of a neighborhood; or
- c. The construction materials or engineering methods used in the structure or district proposed for designation embody elements of outstanding attention to architectural or engineering design, detail, material or craftsmanship.

3. Neighborhood and Geographic Setting.

- a. The structure materially benefits the historic character of the neighborhood;
- b. The unique location or singular physical characteristic of the structure or district proposed for designation represents an established and familiar visual feature of the neighborhood, community or city;
- d. The preservation of a structure is essential to the integrity of the district.

B. Historic buildings or sites shall be designated by the city council in the following manner:

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1. Any person may request the designation of an improvement as a historic building or site by submitting an application for such designation to the Community Development Department. The Community Development Department or the City Council may also initiate such proceedings on its own motion.
 2. The Community Development Department shall conduct a study of the proposed designation and make a preliminary determination, based on such documentation and other information as it may require, whether the building site or district should be considered for historic designation. If the Community Development Department determines that the application merits consideration, it shall schedule a public hearing before the City Council within sixty (60) days of such determination.
 3. The decision of the Community Development Department that the building, site or district should not be considered for historic designation may be appealed to the City Council in accordance with the provisions of Section 17.48.090.
 4. Notice of the date, place, time and purpose of the public hearing shall be given by first-class mail to the applicants, owners and occupants of each building site or district at least ten days prior to the date of the public hearing, using the name and address of such owners as shown on the latest equalized assessment rolls, and shall be advertised once in a daily newspaper of general circulation at least ten days prior to the public hearing.
 5. At the conclusion of the public hearing, but in no event more than thirty (30) days after the date set for the public hearing the City Council may approve in whole or in part, or deny in whole or in part, the application. The decision of the city council shall be in writing and submitted to the applicant.
 6. Failure to send any notice by mail to any property owner whose address is not shown on the latest equalized assessment rolls shall not invalidate any proceeding in connection with the proposed designation. The Community Development Department and City Council may also give such other notice as they may deem desirable and practicable.
- C. Determinations of Contributing and Noncontributing Buildings. In conjunction with the designation of an historic district, the Community Development Department shall recommend and the City Council shall designate all buildings within the proposed district as either contributing or noncontributing.

17.48.055 Ordinary maintenance and repairs.

- A. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property subject to this chapter if the maintenance or repair does not involve a change in the design, material, color or external appearance thereof.
- B. This chapter shall not prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when the Building Official certified to the City Council that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the Historical Building Code of the State of California.
- C. No permit shall be required for ordinary maintenance and repairs as defined in this section.

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17.48.060 Minor improvement permits.

A permit for minor improvements including, without limitation, such as repainting in accordance with a color palette approved by the City Council or replacement of minor landscaping features, may be issued by the Community Development Director.

17.48.070 Historic resource permits.

A. A historic resource permit shall be required for any alteration of the exterior features of a building within a designated historic district, or a designated historic building or site, or to construct a new building or improvements upon property within a designated historic district except as otherwise provided in this Chapter 17.48, the City Council shall determine whether a historic resources permit shall be issued. A permit shall not be required for ordinary maintenance and repairs as defined in this section.

B. Permit Procedures. An application for a historic resource permit shall be made on a form prescribed by the Community Development Department and shall be accompanied by the fees established by resolution of the City Council. The application shall include the information required by Section 17.60.020 for site plan review, complete elevation drawings of the proposed alterations, samples of proposed colors and materials, color photographs of all sides of any existing improvement, building or structure on the site, and such other information as may be required by the community development department. If applicable, the application shall include the information required by Chapter 17.58 (permit for conditional uses) and Chapter 17.62 (planned unit development).

Applications for permits requiring City Council approval shall be placed on the next regular meeting of the City Council. The City Council may approve, approve with conditions, or deny the permit.

17.48.080 Deviation from standards.

The Community Development Department or City Council are granted the authority to approve deviations from the provisions of this title if the Community Development Director or City Council finds that the deviation is necessary to achieve the purposes of this chapter and that the deviation will not adversely affect the public health, safety and general welfare of the citizens of Hanford.

17.48.090 Appeals.

A. Within ten days following the date of a decision by the Community Development Department, the decision may be appealed to the City Council by the applicant or any other party adversely affected by the decision of the Community Development Department.

B. An appeal application and required fee shall be filed with the Community Development Department and shall state specifically the basis for the appeal.

C. Within sixty (60) days after the date of receipt by the Community Development Department of the appeal application and fee, the city council shall hear the appeal. A time period greater than sixty (60) days may be agreed upon by the appellant and the city. The community development department shall give a ten-day written notice to the appellant of the time and meeting place of the hearing of the appeal.

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D. Upon the conclusion of the hearing by the city council, the city council may render its decision immediately or may continue its decision until its next regular meeting. The city council shall declare its findings and may sustain, modify, reject or overrule the decision of the community development department.

17.48.100 Building permits.

Before a building permit shall be issued for any structure, improvement or building proposed as part of the approved historic resource permit application, the building department shall secure written approval from the Community Development department that the proposed improvements are in conformity with an approved historic resource permit. Before a building, improvement or structure may be occupied, the community development department shall notify the chief building inspector that the site and such building improvement or structure thereon have been developed in conformity with an approved historic resource permit.

17.48.110 Lapse of permits.

A. An historic resource permit shall lapse and become void one year following the date on which the permit became effective, unless the conditions of approval specify a lesser or greater time or unless, prior to such expiration date, a building permit is issued by the chief building inspector and construction is commenced and diligently pursued toward completion on the site which was the subject of the historic resource permit application.

B. A permit may be renewed for an additional period of one year or for a lesser or greater period provided that, prior to the expiration of the time period granted, an application for renewal of the permit is filed with the community development department. The community development department may approve, approve with conditions, or deny an application for the renewal of a permit.

17.48.120 Revocation.

A. Should the holder of a historic resources permit violate any provision of this title or any condition of approval of the historic resources permit, the historic resources permit shall be automatically suspended.

B. The Community Development Department shall provide the holder of the historic resources permit with written notice of the suspension, which notice shall identify the reasons for the suspension and may instruct the holder of the historic resources permit to immediately terminate any and all activities, including, without limitation, construction or renovation work being performed pursuant to the historic resources permit.

C. Within thirty (30) days of the date of the automatic suspension of the historic resources permit, the City Council shall hold a hearing and receive evidence whether the historic resources permit should be reinstated, revoked or whether additional conditions or restrictions should be placed upon the historic resources permit or other actions should be taken by the holder of the historic resources permit in order to ensure compliance with the provisions of the historic resources permit and this title.

17.48.130 Permits to run with the land.

A historic resource permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application.

17.48.140 Penalties for improvements without permits.

When any improvements are made or installed to a building improvement or structure where a historic resource permit is required, without the issuance of a historic resource permit, the owner of the site and occupant of the building, improvements or structure thereon shall be subject to completing the application process and a penalty fee of double the standard processing fee.

17.48.150 Design criteria.

A. The design criteria set forth in this section are intended to provide a guidance to both the City Council and Community Development Department and property owners regarding the improvements to structures, buildings, improvements or sites designated as historic or located in historic districts. The design criteria set forth in this section shall be used in evaluating applications for historic resource permits and for other related issues as determined by the community development department.

1. Contributing Buildings. The design criteria shall be used to insure the preservation and enhancement of the historical and architectural characteristics of the historic structures through restoration of those structures. The restoration of a structure to their exact former appearance shall be permitted but not required.
2. Noncontributing Buildings Constructed Prior to 1935. The design criteria shall be used to ensure that modifications or alterations do not increase the noncontributing characteristics of the structure. The application of the design criteria to rehabilitate or renovate a structure to become a contributing building shall be encouraged.
3. Noncontributing Buildings Constructed After 1935. The design criteria shall be used to ensure that modifications or alterations to nonconforming structures do not increase the nonconforming characteristics of the structure or do not add to the intrusive character of the structure.
4. New Construction. The design criteria shall be used for new construction to achieve compatibility and harmony with surrounding structures and the historic district.

B. Design Guidelines. The following design guidelines are to be used to formulate plans for the rehabilitation, preservation, and continued use of old buildings consistent with the intent of this chapter. The guidelines apply to buildings of all occupancy and construction types, sizes and materials and to all permanent and temporary construction on the exterior of historic buildings as well as new attached or adjacent construction.

1. Every reasonable effort shall be made to use the building, structure or site for its originally intended purpose or for a compatible use which requires minimum alteration of the building, structure or site.
2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.

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3. All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
 4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. Such changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be preserved.
 6. Deteriorated architectural features shall be repaired, rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. The repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods which will damage the historic building materials shall not be used.
 8. Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any building, structure or site.
 9. Contemporary design for alterations and additions to existing buildings, structures or site shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, materials and character of the property, neighborhood or environment.
 10. Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
 11. Interior features of historical significance, such as stairways, light wells pressed metal ceilings, ornate woodwork, and the like should be integrated into the design of any adaptive use.
- C. Rehabilitation Standards. The provisions of this subsection are intended to provide reasonable design for the rehabilitation of historic buildings so that the basic historic and architectural presentation of the buildings is retained and enhanced.
1. Storefronts.
 - a. Where original old store fronts remain, their appearance should not be altered. Such store fronts should be repaired and preserved. Where store fronts have been altered, the original design should be determined by examining photographs from the period and by investigating any original architectural fabric which remains beneath the changes. As much original material and detail should be retained in the rehabilitation as possible. Retention of cast iron elements is particularly important for structural and waterproofing reasons. Wood or stone steps, stone sills, and other elements which contribute to the character of store front entries should be preserved.

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b. Where most of the existing architectural design dates from an interim remodeling and where such remodeling adds to the historical character of the historic district, rehabilitation may conform to the period of such remodeling and not to the original design.

c. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a store front which has already been altered, a design which is not a pure rehabilitation but which is in keeping with the design of the rest of the building may be appropriate. The general proportions, materials, colors, rhythm of solids to voids, repetition of design elements, and directional expression (the effect of verticality or horizontally common to the street should be followed in designing new store fronts. The use of materials not in existence when a store front was built should be discouraged in its rehabilitation.

d. The architectural integrity of a buildings storefront in the historic district should be preserved. Accessories, such as light fixtures, which imitate the designs of these eras should be prohibited. Designs appropriate to the years during which the buildings in the historic district were constructed should be encouraged.

e. Canvas awnings are traditional to the historic district and are an acceptable element of store fronts. The size and scale of awnings should be appropriate to the building to which they are attached, based on photographic and documentary evidence. Color choice should be made with discretion. Metal awnings, glass awnings and glass canopies are not in keeping with the prevailing character of the historic district and may be prohibited. To avoid obscuring building elements on the upper stories, canopies and awnings should not be permitted above the ground floor unless documented by photographic evidence.

f. Wooden balconies, canopies and porches are traditional to some buildings within the historic district and are an acceptable element of store fronts where such features can be appropriately documented. The recreation of such elements should be carefully considered to ensure that they are a faithful reproduction of original features, based on photographic and documentary evidence. Interim building modifications which in themselves represent an important historic era or architectural style in the development of the area should not, however, be obscured or destroyed in the rebuilding of such features.

2. Windows and Doors.

a. Where they still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms should be preserved. The original doorway elements, including sills, lintels, frames and the doors, should also be retained. When they must be replaced, the replacements should duplicate the originals in design and materials.

b. Glass in windows, doors and transoms should be clear, except where documentary evidence indicates the original use of colored glass. Plastic materials should not be used in place of glass. Any existing small paned transoms should not be obscured on the exterior.

c. The original proportions of wall openings should be retained. The blocking of any existing opening to accommodate standard sash and glass sizes, to hide ceilings lowered beneath the tops of existing windows, or for any other reason should not be allowed.

d. Decorative wood or metal lintels, brackets and any other window or doorway trim should be preserved and should be restored where possible.

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- e. In rehabilitation, the original number of panes in glassed areas should be used.
- 3. Cornices.
 - a. Cornices should be restored to their original appearance, using original materials where possible and duplications of the original where necessary. Original materials were wood, plaster or metal.
 - b. In some instances, duplication of the original cornice using contemporary materials may be necessary, although the use of materials in existence when the original was constructed is the preferred treatment.
 - c. Where the use of the original materials is not feasible, surviving cornice elements should be retained and repaired. An alternative to full-scale rehabilitation may be the construction of a new cornice of contemporary but sympathetic design in the same design relation to the rest of the building as the original cornice.
 - d. Where possible, brick corbels should be restored and treated in the same manner as brick wall surfaces.
 - e. Gutters, downspouts and flashings should be inconspicuous.
- 4. Roofs.
 - a. Roofs retaining their original shapes should be maintained. In some cases, where roof shapes have been altered, restoration to original appearance may be possible.
 - b. Contemporary roofing materials shall be acceptable. Where roofs are visible, roofing materials should be dark. Flashings should be unobtrusive.
 - c. Pseudo-mansard roofs applied to store fronts should only be considered when photographic evidence indicates the prior existence of such features and should be reconstructed to be consistent with such prior features.
- 5. Building Materials.
 - a. Brick.
 - i. Brick is a dominant building material in the historic district. Brick should be treated and maintained in a manner which will preserve it and should not be treated in a manner which will deface it or accelerate deterioration. Brick should not be covered by synthetic brick or stone, or wood shingles, by wood or aluminum siding, or by synthetic materials of any other kind.
 - ii. Sandblasting accelerates the deterioration of brick and should not be used. Sandblasting gouges the mortar joints between bricks, admitting water which freezes, expands and breaks the bricks.
 - iii. Brick may be cleaned by applying mild chemical solvents, by scrubbing with stiff nonferrous brushes, or by spraying with water under high pressure.
 - iv. Brick which has already been sandblasted should be treated with clear silicone every two or four years to repel water. However, treating with silicone is not the equivalent of retaining the original glaze.

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- v. When repointing is necessary to replace deteriorated mortar or to stop water damage, loose mortar should be raked out to a depth of approximately one-half inch to one inch in both vertical and horizontal joints and the brick washed to remove small particles which remain. Joints should not be sawed.
- vi. When deteriorating brick must be replaced, replacements should match the old brick in color, texture, size and coursing technique. Mortar should be painted to match existing joints. Replacement brick should be laid in the same bond as the original.
- vii. Repainting shall be preferable to cleaning brick which has previously been painted. Painting brick which has not previously been painted is an appropriate way to unify a facade for which the original brick color, size, texture, coursing technique, and mortar appearance cannot be matched in repair work and in which such inconsistency is visually disruptive.
- viii. Many of the buildings in the historic district have been stuccoed. Stucco is very difficult to remove from brick, especially soft brick, and therefore its removal is not recommended. Although stucco may be removed laboriously by use of a hammer and chisel, the chisel marks often mark the brick. If wire mesh was attached to the brick to hold the stucco, the mesh may be pulled from the surface of the brick to remove the stucco.
- b. Wood. Wood is not common as a primary structural material in the historic district. Wood frame accessory features, such as skylights, however, should be retained as they constitute important elements of the buildings and offer unique opportunities for variation in mass, color and texture. Restoration techniques should be as gentle as possible and should not include sandblasting. Where the replacement of wooden exterior features or portions of such features is necessary, the new structure should be constructed to resemble, as closely as possible, the original structure.
- c. Metals. Architectural metals are utilized as an exterior structural element in several buildings within the historic district. They constitute an important architectural feature and should be preserved. Cast iron store front frames should be treated sensitively and covered with a protective paint or sealer. Pressed metal cornice and trim elements should likewise be protected.
- D. New Construction Standards. The construction standards proposed in this subsection are based on a combination of existing and historical design elements common to the historic district building materials common and identify the downtown Hanford commercial buildings. The standards will help to assure that new design, while contemporary, will be compatible with the existing building character. The building design shall be consistent with the historical design elements found on adjacent buildings and the total character of the streetscape.
 - 1. "Wild West" theme construction typified by false front architecture embellished with gingerbread-style detail, board-and-batten siding, and bright colors are not appropriate and shall not be an acceptable building motif.
 - 2. New construction should maintain the continuity of existing rows of buildings or help to establish such continuity. Facades should be constructed at the property line facing the street.
 - 3. The front and side walls of new construction should be parallel to the property lines. Polygonal and circular shaped buildings shall be prohibited.
 - 4. New buildings should be constructed to within ten percent of the average height of the existing adjacent buildings. The maximum height of any new building should be thirty-five (35)

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feet. The minimum height should be twenty (20) feet. Sidewalk level commercial spaces should have a minimum ceiling height of ten feet from the floor.

5. Brick is the preferred exterior material for new construction. The color and texture should be similar to that of brick historically used in the city. Stuccoed surfaces may be permitted on a limited basis. The use of wood, synthetics and metal siding shall be prohibited.

6. A new facade should be rectangular in shape and its proportions (width in relation to height) should be consistent or compatible with the proportions of adjacent historic buildings. The principal directional expression of new facades may be horizontal or vertical. Facades of one-story buildings should be organized into three horizontal or vertical bands: store front, solid wall space above the store front, and cornice with or without parapet. Two-story buildings should be organized into three or four horizontal bands: store front, horizontal band (optional), second floor, and cornice (with or without parapet). Such bands should align with those of adjacent buildings.

7. Facades should be organized into three, four or five bays. The directional expression of windows and doors should be vertical, though several vertical elements may be combined to form a horizontal opening.

8. New construction details should approximate the character of historic details found in the historic district. The reproduction of historic building details shall be discouraged, except where the reconstruction of historic buildings may be appropriate.

9. New store fronts should approximate the character of those built in the past within the historic district: the double doors of some of the oldest buildings, the recessed entries with flanking showcases of the 1880-1940 period, and others which can be photographically documented. Store fronts with recessed entries should be divided into three bands: a transom band, a band of display windows, and a small spandrel or paneled band under display windows. Proportions of store fronts should be consistent with those of historical store fronts. Store fronts should be ten feet high, including the transom band. Metal store front elements should not leave exposed the natural color of the metal. Dark anodized finishes shall be preferred, as are colors traditionally used in the historic district.

10. Awnings or triangular sidewalk roofs attached above street level store fronts should be encouraged.

11. False fronts or parapet walls should conceal roofs from the public view. Mansard, free form, and geometric roof shapes shall be prohibited.

12. The scale of new construction should be harmonious with that of adjacent buildings. Materials, signs and other elements of new construction should be consistent with the scale of similar elements found in adjacent historic buildings.

13. Those sections of the rehabilitation standards set forth in subsection C of this section discussing store front design, canopies, and awnings shall also apply to new construction.

E. General Building Standards. The standards set forth in this subsection should be applied to all alterations or new construction in the historic district.

1. Color.

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- a. Exterior colors should harmonize with other colors on the same building and on the streetscape. Exterior colors should complement the colors of neighboring buildings and should be selected to be mutually supportive and beneficial to the overall historic character of the streetscape.
- b. Where wood or metal surfaces of windows, doors, porches and details, other than cornices, are to be painted, the following colors shall be used: During the early twentieth century, muted colors and earth colors were favored. They included gray, dark brown, dark green, blue gray, beige, brick red, and terra cotta. A slightly grayish-white paint, was frequently used for major surface areas and for details. This grayish-white is an appropriate choice for window sash and frames and for other details. In some instances, black or dark gray may be appropriate for the fixed window or door frame. If the original color of a cornice cannot be determined, grayish-white, buff or sandstone color are preferred choices.
- c. Where brick has been painted, repainting in a color which approximates that of the natural brick is appropriate. Mortar joints might also be suggested in a color approximating the natural color of the mortar (not a pure white). Depending on the paint history of a building, grayish-white paint may be an acceptable alternative for the facade. Where brick was unpainted and remains unpainted, the use of paint on the exterior shall be discouraged, since unpainted brick is a strong design tradition in the historic district.
- d. Paint colors which were not produced or used during the early twentieth century should be discouraged in the historic district. Bright, new colors are to be avoided, even when used sparingly.

2. Signs.

- a. General Requirements. Signs shall be designed to contribute to the quality of the historic commercial environment. Within the historic district, each business shall be limited to one primary sign, except those businesses on corners which may have a sign on each street. Each business may also appropriately establish one sign directly lettered onto the window glass or the glass in the doors. Signs in the historic district shall be pedestrian oriented in size and shape. Graphics shall be simple and bold. Signs shall be flush with the wall since they usually complement architectural elements more effectively than projecting sign. Wall mounted can or cabinet type internally illuminated wall signs are not permitted. Symbolic, three-dimensional signs (such as a barber pole or a pawn shop symbol) shall be encouraged. Paper signs attached to the interiors or exteriors of store windows shall be discouraged, except where temporary presentation for public notice requires such treatment. The height of new signs shall not extend above the window sills of the second floor. Signs on one-story buildings shall not project above the cornice line, and all roof-mounted signs shall be precluded.
- b. Area of Permanent Signs.
 - i. Each ground floor tenant may have a maximum of one square foot of signage for each linear foot of business establishment on his primary frontage (that portion of the building occupied by the business which faces a street and contains the main entrance), with a twenty-five (25) square foot minimum sign area, regardless of the width of such primary frontage.

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- ii. Each ground floor tenant may have a maximum of one-half square foot of signage for each linear foot of secondary frontage (that portion of the building occupied by the business and facing an alley, street, adjacent building, parking lot, or the like).
- iii. Each ground floor tenant may have one sign located at each entrance attached below the marquee or canopy which shall not exceed six square feet per sign face and with a minimum ground clearance of seven feet above the sidewalk grade. Such sign shall not count against the maximum sign area allowed for a business frontage.
- iv. Each basement and second and third story tenant may have painted window signs at a maximum of thirty (30) percent of the businesses' total window area on a given frontage.
- v. Each basement and second and third story tenant may also use the awning skin above his businesses' windows for signage based on thirty (30) percent of the window area.
- vi. Basement and second and third story tenants may use a maximum of fifty (50) percent of the entrance door area (the street entrance leading up to the second story) for a directory type sign to be placed on the door or on the wall beside the door.
- vii. Where second stories are occupied by only one tenant, the tenant may use the skirt of the awning above the entrance door (the street entrance leading up to the second story) for signage.
- viii. Multi-tenant buildings or businesses within a row of buildings shall be permitted a directory type sign located on a building with each business allowed up to an eight-inch by thirty-six (36) inch sign per directory. Such a sign will not count against the maximum sign allowance for the business frontages.
- ix. Pole signs shall not be permitted except under special circumstances where a sign on a building is not appropriate and where such is approved by the community development department.
- c. Temporary signs.
 - i. Each building tenant may use one of the following two types of temporary signs, but not both at the same time:
 - (A) Basement, ground and second and third story tenants may use a maximum of twenty-five (25) percent of their total window area along a single frontage for temporary signage. Such promotional or sale signs shall only be used for a period of seven consecutive days per month with at least a thirty (30) day period between sign displays. Such signs shall be of professional quality.
 - (B) Each building tenant shall be permitted to use one portable sign only on Fridays and Saturdays which sign is a maximum of three and one-half feet high and two feet wide. Such signs shall be placed immediately adjacent to the building and not next to the curb or anywhere else in the sidewalk area. Portable signs shall be removed and placed inside the business each afternoon or early evening on Fridays and Saturdays before the business closes.
 - ii. Commercial banner type signs on buildings or store fronts shall be prohibited except for grand openings and community events. Such signs shall only be used for a period of fourteen (14) days and then be removed. Such signs shall be of professional quality. Except for dealerships of cars, trucks, motorcycles, recreational vehicles and boats, and temporary parking lots sales which require outdoor display, canvas, plastic, cloth, paper or other types of banners or

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streamers suspended across private property, buildings or structures shall not be permitted. "Grand Opening" banners are permitted as stated above.

d. Brand Names or Product Signs. Registered trademarks, the portrayal of specific commodities, or signs advertising an individual brand of products shall not exceed ten percent of the total sign area. If the trademark or commodity represents the principal activity conducted, a maximum of twenty-five (25) percent of the total sign area for trademark use.

f. Sign Approval Process. All signs prior to their use and installation shall require a permit and shall be approved for consistency with this chapter.

g. Deviations from Sign Standards. The community development department or the city council are granted the authority to approve deviations from the provisions of this section as allowed pursuant to Section 17.48.080.

3. Roof-Mounted Equipment. Roof-mounted equipment should be located so that it is not generally visible from the adjoining streets or alleys and does not detract from the lines of the building.

4. Energy Conservation. The conservation of energy should be considered in the review of building rehabilitations so that within the historical context of a building the conservation of energy resources is maximized.

5. Additional Design Criteria. The city council may adopt, by resolution, such additional design criteria as may be desirable to further implement and clarify this section. Such criteria shall be consistent with the purposes and intent of this chapter.

6. Other Provisions. The following rules and regulations are incorporated by this reference into the design criteria set forth in this section:

a. The Secretary of the Interior Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings;

b. California Administrative Code, Title 14, Part 8: State Historical Building Code.

17.48.160 Demolition of historic structures.

A. Notices Required. The demolition, wholly or partially, of a contributing building in a historic district or a designated historic building shall be prohibited unless the property owner of such structure gives the community development department one hundred eighty (180) days' prior written notice that such demolition is planned for such structure. Subject to the provisions of subsection B of this section, no application to the city for a permit to carry out such demolition shall be accepted during said one hundred eighty (180) day notice period. Following the receipt of such notice, the City Council may take such steps as it determines are necessary to preserve the structure concerned. The City Council, among other things, may:

1. Seek local trusts and other financial sources which may be willing to purchase the structure for restoration;

2. Publicize, with the owner's consent, the availability of the structure for purchase for restoration purposes;

3. Make offer concerning the acquisition of development rights or facade easements and the imposition or negotiation of other restrictions for the preservation of the structure;

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4. Investigate possible sites for the relocation of the structure; and
5. Direct city staff to purchase the structure pursuant to a development plan where it does not appear that private preservation is feasible.

B. Waivers of Notices.

1. The City Council, upon the request of the property owner, may waive the requirement of one hundred eighty (180) days' prior written notice if the action planned for the structure involves:

- a. An emergency repair to, or removing an unsafe condition of, the structure; or
- b. The relocation of the structure to a site approved by the City Council; or
- c. Relief of extreme financial hardship to the owner of the structure as set forth in Section 17.48.190.

2. A request by a property owner for the waiver of a notice shall be considered by the City Council at its next regular meeting after the filing of such request in writing with the Community Development Department; however, if the request is filed within ten days of the next regular meeting of the city council, the request shall be placed on the agenda of the City Council's second regular meeting following the filing of the request.

17.48.170 Substandard buildings.

The Building Official or the Fire Marshal shall notify the Community Development Department whenever such official declares a designated historic building or structure within a historic district to be a substandard or dangerous building.

Upon the receipt of notice from the Building Official or the Fire Marshal, the City Council shall evaluate the historic and architectural merit of the structure and shall provide recommendations to the Building Official within thirty (30) days.

17.48.180 Duty to keep in good repair.

The owner, occupant or other person in actual charge of a designated historic building or site, structure or building in an historic district shall keep in good repair all of the exterior portions of such site, improvement, building or structure, and all interior portions thereof whose maintenance is necessary to prevent the deterioration and decay of any exterior architectural feature.

17.48.190 Evidence of hardship.

The City Council may approve an application for a permit to carry out any proposed work in an historic district or on a historic site, structure or building if the applicant presents clear and convincing evidence of facts demonstrating, to the satisfaction of the City Council, that denial or the application will cause immediate and substantial hardship on the applicant because of conditions peculiar to the particular building, structure or site or other feature involved, and that the approval of the application will be consistent with the purposes of this title. If a hardship is found to exist under this section, the city council shall make written findings to that effect.

Chapter 17.50

DEVELOPMENT STANDARDS

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17.50.010 Purpose and applicability.

The purpose of this chapter is to establish development standards in order to preserve, protect, and promote the public health, safety, and general welfare of the city, and to minimize environmental impacts and land use conflicts.

17.50.020 Applicability.

This chapter shall apply to uses within all zone districts, unless specifically stated otherwise.

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17.50.020 Nuisance.

No use shall create a nuisance due to noise, odor, dust, mud, smoke, steam, vibration, or other similar causes.

17.50.030 Waste materials.

Waste materials that are associated with any use that cause fumes or dust, that may be a fire hazard, or that are edible by, or otherwise attractive to, rodents or insects, shall be stored in closed containers.

17.50.040 Air pollution.

No use shall cause the emission of any smoke, ash, dust, fumes, vapors, gases or other forms of air pollution that can cause damage to human health, vegetation, or other forms of air pollution that can cause excessive soiling on any other parcel. No emission shall be permitted that exceeds the requirements of the San Joaquin Valley Air Pollution Control District or the requirements of any air quality plan adopted by the City of Hanford.

17.50.050 Odorous gases and matter.

No use shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, harmful, noxious, or otherwise objectionable at a level that is detectable with or without the aid of instruments at or beyond the project site boundary.

17.50.060 Discharge of materials.

No use shall discharge at any point into any public or private street, public sewer, storm drain, private stream, body of water, or into the ground, any material that can contaminate any water supply, interfere with bacteriological processes in sewerage treatment, or otherwise cause the emission of dangerous or offensive elements, except according to the standards approved by the California Department of Public Health, or any other federal, state or local government agency.

17.50.070 Ground vibration.

No use shall be permitted to cause a steady state, earth-borne oscillation beyond the project site. Ground vibration caused by moving vehicles, trains, aircraft, or temporary construction or demolition is exempt from this requirement.

17.50.080 Combustibles and explosives.

The use, handling, storage, and transportation of combustibles and explosives shall comply with the Uniform Fire Code and California Code of Regulations Title 19.

17.50.090 Trash collection areas.

A. Suitable area shall be provided on-site for collection of trash and recyclable materials for all multi-family residential, mixed-use, commercial, office, and industrial uses. Refuse storage areas shall be adequately screened from view. The refuse area enclosure shall be designed to meet the minimum recommended dimensional standards as determined by the City Engineer.

B. All uses shall be in compliance with the provisions of Chapter 13.12 of the Municipal Code.

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17.50.100 Rooftop equipment.

All elevator housing and mechanical equipment located on the roof of any building shall be screened from adjacent views and contained within a completely enclosed penthouse or portion of the same building having walls and roofs with construction and appearance similar to the building.

17.50.110 Fences and walls.

- A. No fence or wall shall be placed within the public right-of-way.
- B. A masonry fence exceeding three (3) feet in height shall require engineered footings and a building permit. All other fencing exceeding seven (7) feet in height shall require engineered post footings and a building permit;
- C. No hedge, shrub, fence, or wall exceeding the three (3) feet in height, or four (4) feet in height if the upper one (1) foot is fifty (50) percent or more open shall be planted, placed, or maintained within the twenty-five (25) feet corner sight triangle of a corner lot, or along a front or street side property line where the hedge, shrub, fence, or wall creates a traffic or pedestrian hazard as determined by the Community Development Director.
- D. The provisions of this title regarding fences or walls shall not apply to a fence or wall necessary for public safety or as required by any law or regulation of the state, or any agency thereof.

17.50.120 Fence and wall locations in residential, office, and public facilities zones.

Fences and walls in the R-L, R-M, R-H, OR, O and PF zone districts shall be constructed or installed in accordance with the following:

- A. Along a rear lot line not exceeding seven feet in height;
- B. Along an interior side lot line not exceeding seven (7) feet in height beginning at ten (10) feet from the front lot line;
- C. On a corner lot along the street side lot line not exceeding seven (7) feet in height beginning at twenty-five (25) feet from the front lot line. On a reverse corner lot, the fence or wall is to be set back from the street side lot line five (5) feet. On a reverse corner lot, the rear lot line fence is not to extend beyond the five (5) foot street side building setback area;
- D. On a corner lot when a residence is constructed with its front access facing the street side lot line of a corner lot, a six (6) foot high fence is to be placed ten feet behind the front property line. The street corner forty-five (45) degree angle line of sight is to be maintained as described in Subsection H below. When the front of the house fronts the street side lot line a fence exceeding three (3) or four (4) feet in height as described in Subsection E and F below is to be set back ten (10) feet from the street side lot line;
- E. Along a front lot line not exceeding three (3) feet in height;
- F. Along a front lot line not exceeding four (4) feet in height when the upper one (1) foot is fifty (50) percent or more open;
- G. Along a front lot line an open chain link fence up to seven (7) feet in height may be located in conjunction with a public or quasi-public playground or park use;

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H. A six-foot fence or wall may be located in a front building setback area when set back ten (10) feet from the front lot line. Except in the case of a corner lot, the fence wall shall begin a forty-five (45) degree angle at a point twenty-five (25) feet from the front lot line located on the street side lot line.

17.50.120 Temporary fences.

The use of temporary fences is allowed subject to the following requirements:

- A. A temporary fence shall be constructed of chain link or other such material approved by the community development department and shall not be permanently affixed to the site.
- B. A temporary fence shall be located on the site in such a manner as not to impede pedestrian or automobile traffic adjacent to the site.
- C. A temporary fence placed to secure a construction, rehabilitation or demolition project on the site shall be removed when the project is completed.
- D. A temporary fence placed for a reason other than to secure a construction, rehabilitation or demolition project on the site shall be removed after ninety (90) days unless a temporary use permit is issued in accordance with Chapter 17.76 that allows a longer period of time.

17.50.130 Tents, tarps, and other coverings.

No front or side building setback area in the R-L, R-M, OR, or O zone district shall be covered by tents, tarps, cloth, fabric, or a wood or metal covering or structure except for the following:

- A. Standard window and door awnings
- B. Ornamental covers, such as a sidewalk or entry awning trellis, or other similar improvement intended as an improved passageway or for aesthetic purposes providing architectural integrity with the building to which it is attached. Supports shall be ninety (90) percent open and shall not be enclosed.

17.50.140 Outdoor lighting standards.

- A. Purpose. The purpose of this section is to establish standards for the types, construction, installation and use of outdoor electrically powered illuminating devices and systems in order to conserve energy, preserve the natural environment, and provide nighttime safety and security, while not materially interfering with the use and enjoyment of property.
- B. Definitions. For purposes of this section, unless otherwise defined, the following words and phrases when used in this section shall have the following meaning:
 - 1. "Automatic timing device" means device which automatically turns on and off outdoor light fixtures or circuits.
 - 2. "Canopy light fixture" means an outdoor lighting fixture attached to or recessed within a canopy ceiling.
 - 3. "Direct illumination" means illumination resulting from light emitted directly from a lamp or luminaire, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

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4. "Fully shielded fixture" means an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal plane as determined by photometric test or certified by the manufacturer. A light fixture mounted under a canopy or other structure such that the canopy or surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this definition.
5. "Light glare" means the reflections of light sources which reduce the contrast between detail and background within the visual area.
6. "Light trespass" means any form of artificial illumination emanating from a light fixture or illuminated sign that penetrates other property and creates a nuisance.
7. "Lumen" means that unit used to measure the actual amount of light which is produced by an outdoor light fixture.
8. "Luminous tube lighting" means gas-filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
9. "Outdoor light fixture" means an electrically powered illuminating device which is permanently installed outdoors, including, but not limited to, devices used to illuminate any site, structure, or sign.
10. "Temporary lighting" means lighting which does not conform to the provisions of this section and which will not be used for more than one continuous thirty (30) day period within one calendar year. Temporary lighting is intended for uses, which by their nature are of limited duration; e.g. holiday decorations, civic events, special events, construction projects, emergencies or similar situations. The thirty (30) day time limitations may be extended by the city on a case-by-case basis for unusual or special circumstances.
11. "Unshielded" means fixtures lacking any means to restrict the emitted light to below the horizontal plane.

C. Exemptions. The outdoor lighting fixtures listed below are exempt from the provisions of this section:

1. Outdoor lighting fixtures which were lawfully installed prior to the enactment of these standards and do not create a nuisance.
2. Luminous tube lighting. Gas-filled tubing e.g., neon, argon, etc.
3. Temporary lighting, as defined in subsection B.
4. Public outdoor recreational facilities, airport, roadway and navigation lighting installed and maintained by a public agency or public utility.
5. Outdoor light fixtures producing light by the combustion of fossil fuels, such as liquid fuel lanterns or gas lamps.
6. Low voltage holiday decorations and landscape/walkway lighting.
7. Ornamental lighting within the street right-of-way when approved by the city.
8. Lights emitting infrared radiation used for remote security surveillance systems.

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9. Emergency Lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, or utility personnel or at their direction.

10. Solar-powered Lighting. Solar-powered lights of 5 watts or less per fixture used in residential landscaping applications and to illuminate walkways are exempt from applicable lamp type and shielding standards and are excluded from the total lumen calculations for the site.

D. General Outdoor Lighting Standards. The following requirements and standards shall apply in all zone districts for the installation and use of outdoor lighting fixtures.

1. All lights and light fixtures, except public street lights, shall be located, aimed or shielded so as to minimize light trespassing across property boundaries or skyward.

2. No lights or light fixtures shall flash, revolve, blink or otherwise resemble a traffic control signal or operate in such a fashion to create a hazard for passing traffic.

3. Building mounted lighting fixtures shall be attached only to the walls of the building. The top of a light fixture attached to a building wall shall not be higher than the top of the building parapet or the top of the roof eave, whichever is lower.

4. Canopy ceiling light fixtures shall be recessed or the sides of the lens area shall be shielded in order to eliminate emission of horizontal light.

5. The height of freestanding light fixtures including freestanding parking lot fixtures shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture and shall not exceed the following:

a. Eighteen (18) feet in height, when located within fifty (50) feet of any residential zone district; and

b. Twenty-five (25) feet in height when located within fifty-one (51) to one hundred fifty (150) feet of any residential zone district; and

c. Thirty (30) feet in height when located more than one hundred fifty (150) feet from any residential zone district; and

d. Fifty (50) feet in height when located in the RC regional commercial zone or freestanding light fixtures for public outdoor recreational facilities.

E. Specific Outdoor Lighting Standards. In addition to the general outdoor lighting standards stated in Subsection D, the following additional requirements shall apply to outdoor lighting fixtures in the R-L, R-M, R-H, and OR zone districts:

1. Mercury vapor lamps shall be a fully shielded fixture with all light directed on-site.

2. Freestanding light fixtures, including freestanding parking lot light fixtures, shall not exceed eighteen (18) feet in height measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture.

F. Commercial Outdoor Lighting Standards. In addition to the requirements identified in Subsection D, the following additional requirements shall apply to outdoor lighting fixtures in the O, PF, and all commercial and mixed use zone districts:

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1. All outdoor fixture lighting shall be a fully shielded fixture and focused to minimize light trespass and glare.
2. Outdoor lighting fixtures shall be turned off after close-of-business unless needed for safety or security, in which case the lighting shall be activated by motion sensor devices. Illuminated signs and parking lot lighting are excluded from this requirement.
3. Lighting for signs, recreational facilities and decorative effects for building and landscape shall be fully shielded fixtures equipped with automatic timing devices and focused to minimize light glare and light trespass.

G. Submission of Plans and Evidence. For parking lots and commercial developments, the submission of lighting plans and evidence of compliance with these lighting requirement are required and shall include the following:

1. Description of outdoor light fixtures, including component specifications such as lamp reflectors, lens style, angle of light cutoff, supports, poles, and include manufacturers' catalog specifications.
2. Locations and description of all outdoor light fixture and hours of their operation.

17.50.150 Through lots.

A front yard shall be provided on each frontage of a through lot, except where a waiver of access to one of the frontages applies.

17.50.160 Measurement of building setback areas.

A. Required building setback areas shall be measured as the minimum horizontal distance from the property line of the site or street line to a line parallel thereto on the site; provided, however, where a precise street plan has been adopted by the City Council, the required front building setback area shall be measured from the precise street plan line, and no provision of this title shall be construed to permit a structure, use, or other improvement to extend beyond such precise plan line.

B. Where a site abuts on a street having only a portion of its required width dedicated or reserved for street purposes, the site area and required building setback areas shall be measured from a line representing the boundary of the additional width required for street purposes abutting the site.

C. Where a site abuts a public alley, required building setback areas shall be measured from the center line of the alley, except that garages and carports with alley access shall be located a minimum of twenty-five (25) feet from the opposite side of the alley where access opening is parallel to the alley right-of-way line requiring a ninety (90) degree turn.

17.50.170 Exceptions in building setback area limitations.

A. Architectural features, including without limitation, sills, chimneys, fireplaces, cornices and eaves, may extend into a required side building setback area, a required rear building setback area, or a space between structures, not more than thirty-six (36) inches, and may extend into a required front building setback area not more than six feet; provided, that where an architectural feature extends more than twenty-four (24) inches into a required side building setback area,

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such extension shall meet all fire and building code requirements. No building or projection thereof may extend into a public easement or right-of-way.

B. Open, unenclosed, uncovered metal fire escapes and depressed ramps or stairways may project into any required yard or space between buildings not more than four feet; and planter boxes attached to a building may be extended into a required front building setback area by not more than three (3) feet.

C. Fences, walls, hedges, garden structures, walks, driveways and retaining walls may occupy any required building setback area or other open space, subject to the limitations prescribed in this title.

D. When more than sixty (60) percent of the linear frontage of lots improved with residential buildings within any street block is comprised of lots with less than the minimum front building setback requirements, the minimum front building setback for newly constructed residential buildings in such block shall be the average of the actual front building setback of all the lots in such block improved with residential buildings; counting those that have front building setbacks greater than the minimum front building setback requirement of the zone district as having the minimum requirement.

17.50.180 Measurement of height.

The height of a structure shall be measured vertically from the average elevation of the ground surface covered by the structure to the highest point of the structure; provided, however, the provisions of this section shall not apply to the height of any structure necessary for public safety or as required by any law or regulation of the state or an agency thereof.

17.50.190 Exceptions to height limitations.

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, air-conditioning equipment, or similar equipment required to operate and maintain buildings, and fire and parapet walls, skylights, towers, spires, cupolas, road signs (where permitted), flagpoles, chimneys, smokestacks, television and radio masts, or similar structures may be erected above the height limit, but shall not be allowed for the purpose of providing additional floor space.

17.50.200 Property maintenance.

It is a public nuisance for any person owning, leasing, renting, occupying, or having possession of any real property to maintain said real property in a manner in which any of the following conditions are found to exist:

A. The real property or any buildings, structures, or improvements located thereon which violate one or more of the following:

1. The California Building Standards Code, California Code of Regulations, Title 24, any and all amendments, thereto, published by the California Building Standards Commission;
2. Any provision of the Hanford Municipal Code;
3. Any other law or regulation, such violations including, without limitation, violations that create a fire hazard, endanger human life, or are hazards to the public health, safety and general welfare of the citizens of the city, including without limitation, real property, structures or other

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improvements that are in disrepair or are not properly maintained as determined by the Code Enforcement Officer;

- B. Outdoor storage of personal property of any type or design in any unscreened/unfenced areas fronting on any alley, street, or other public right-of-way;
- C. The parking of vehicles in yards or landscaped areas;
- D. Real property or structures or improvements thereon not properly maintained so as to constitute a fire hazard by reason of weeds, grass, rank overgrowth, or accumulations of debris or which could harbor rats or other vermin, create unsightly appearance, or create conditions which are detrimental to neighboring properties;
- E. Broken windows or other structural defects in the real property or any structures or improvements thereon which create hazardous conditions and invite trespassing and malicious mischief including unsafe structural supports, boarded doorways and windows, dry rot, termites, and similar hazards;
- F. Clothes lines within front yard areas, or other unscreened/unfenced yard areas;
- G. Garbage cans and garbage receptacles stored within the front yards and which are visible from the public street or neighboring properties. Except that, the Code Enforcement Officer may determine that circumstances involving the property or its occupants make it difficult or impossible to place the garbage cans and receptacles out of public view. If the Code Enforcement Officer makes such a determination, the Code Enforcement Officer shall designate a location on the property for the storage of the garbage cans and receptacles even though such location may allow the garbage cans and receptacles to be visible from the public street or neighboring properties;
- H. Failure to maintain any wall, fence, or hedge as to constitute a hazard to persons or property or which create an unsightly appearance;
- I. Failure to maintain required landscaping and trees and/or removal, destruction or severe pruning of required landscaping or trees.
- J. Installation of newspaper/magazine racks, overnight/postal drop boxes or other items of personal property in the public right-of-way without first obtaining an encroachment permit from the city and/or failure to properly maintain said items.

17.50.210 Housing density bonus and other incentives.

- A. The purpose and intent of this section is to implement Chapter 4.3 Density Bonuses and Other Incentives, Section 65915 et seq., of the California Government Code for the development of affordable housing and senior housing developments, which are incorporated herein by this reference.
- B. This section shall apply to residential projects providing moderate, low and very low income housing and/or senior housing developments pursuant to the provisions and definitions of Chapter 4.3, Section 65915 et seq., of the California Government Code.
- C. Projects which meet the requirements set forth in this section shall qualify for a density bonus and an applicable number of concessions or incentives unless the City Council adopts a written finding, based upon substantial evidence that any one of the following exists:

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1. The concession or incentive is not required to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set at the required affordable levels, as specified in Government Code Section 65915(c); or
2. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; or
3. The disapproval of the project or imposition of conditions is required in order to comply with specific state or federal law and there is no feasible method to comply without rendering the development unaffordable to very low and low-income households; or
4. The development project is inconsistent with the city's General Plan land use designation as it existed on the date the application was deemed complete, and the city has adopted a housing element in compliance with state law.

D. Project financial report. The applicant shall show in the form of a project financial report (financial pro forma) that the density bonus is necessary to make the housing units economically feasible, and the city may retain a consultant, at developer's sole cost, to review the project financial report and advise the city on the report. Where development and zoning standards exist which would otherwise inhibit the utilization of the density bonus on specific sites, the city may waive or modify the standards consistent with the provisions of this section.

E. Procedures.

1. Density Bonus/Incentives Review. Density bonus/incentive review by the Planning Commission shall only be required for projects involving Planning Commission approval. If no legislative entitlement is required, the community development department staff shall have final approval authority on density bonus and incentives. Appeals of a Planning Commission decision must be in accordance with Chapter 17.70 of the Hanford Municipal Code. If a rezone or General Plan amendment is part of the project, the Planning Commission shall make a recommendation on the density bonus and incentives request but the City Council shall have final approval authority as part of the total project. Any special conditions of the city zoning ordinance pertaining to the project, and/or applicable development standards of the downtown area shall also apply.
2. Regulatory Agreement. The city and applicant shall execute a regulatory agreement, ensuring compliance of the project with all applicable provisions and affordability restrictions as required under this section, State law, or other applicable affordable housing requirements, as well as equity sharing requirements if applicable. The regulatory agreement shall be recorded as a deed restriction with the Kings County recorder's office running with the land and be binding upon all future owners, developers, and/or successors-in-interest. The regulatory agreement shall be recorded prior to the approval of a final map, or, where a map is not being processed, prior to the issuance of building permits for the parcel or units. Resale of moderate income units shall be governed by Government Code Section 65915(c)(2). The regulatory agreement shall include at least the following:

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- a. The total number of units approved for the housing development, including the number of target units;
 - b. A description of the household income group to be accommodated by the housing development, and the standards for determining the corresponding affordable rent or affordable sales price and housing costs;
 - c. The location, unit sizes, in square feet, and number of bedrooms of target units;
 - d. Tenure of use restrictions for target units of at least ten (10) or thirty (30) years, in compliance with applicable laws;
 - e. A schedule for completion and occupancy of target units;
 - f. A description of the additional incentive(s) being provided by the city;
 - g. A description of remedies for breach of the regulatory agreement by the owners, developers, and/or successors-in-interest of the project; and
 - h. Other provisions to ensure implementation and compliance with this section.
3. Additional Conditions. In addition, reasonable conditions may be imposed to assure continued availability of such housing as very low, low or moderate income housing, or, for senior housing developments as defined in Civil Code Sections 51.3 and 51.12.
 4. Those units targeted for low-income households shall be affordable at a rent that does not exceed current Housing and Urban Development (HUD) income limits for low-income households for the county adjusted for household size.
 5. Those units targeted for very low-income households shall be affordable at a rent that does not exceed current HUD income limits for very low-income households in the county adjusted for household size.
 6. The owner(s) shall maintain and keep on file documentation for the income level for each tenant occupying the target units.
 7. The owner(s) shall provide the city any additional information required by the city to ensure the long-term affordability of the target units by eligible households.
 8. The city shall have the right to inspect the owner's project-related records at any reasonable time and shall be entitled to audit the owner's records once a year.
 9. The city may establish fees associated with the setting up and monitoring of target units.
 10. All ownership target units shall be occupied by their purchasers; no renting or leasing shall be allowed.

Chapter 17.52

LANDSCAPE STANDARDS

17.52.010	Purpose.
17.52.020	Applicability.
17.52.030	Landscape concept plan.
17.52.040	Construction landscape and irrigation plans.
17.52.050	Landscape area requirements.
17.52.060	Landscape standards.

17.52.010 Purpose.

The purpose of this chapter is to:

- A. Enhance the appearance of all development by providing standards relating to the quality, quantity, and functional aspects of landscaping and landscape screening;
- B. Protect public health, safety, and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, screening incompatible land uses, preserving the integrity of existing residential neighborhoods, and enhancing pedestrian and vehicular traffic and safety; and,
- C. Decrease the use of water for landscaping purposes by requiring the efficient irrigation system design, appropriate plant materials, and regular maintenance of landscaped areas.
- D. Meet the requirements of the latest adopted Model Water Efficient Landscape Ordinance.

17.52.020 Applicability.

- A. All projects shall provide and maintain landscaping in compliance with the provisions of this chapter.
- B. Landscape plans, and plans for the ornamental use of water, including fountains and ponds, shall be submitted for review for compliance with the requirements of this chapter. Landscaping shall not be installed until the applicant receives approval of the final landscape plan. Changes to the approved landscape plans that affect the character or quantity of the plant material or irrigation system design are required to be resubmitted for review and approval before installation.

17.52.030 Landscape concept plan.

- A. The Site Plan Review Committee may require a landscape concept plan as part of an application for a site plan review permit, conditional use permit, tentative subdivision map, or other permit or plan.

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B. A landscape concept plan shall meet the intent of this section by exhibiting a design layout that demonstrates the desired landscaping program in terms of function, location, size/scale, and similar attributes. The concept plan shall provide the applicable review authority with a clear understanding of the landscaping program before the preparation of detailed construction landscape and irrigation plans.

17.52.040 Construction landscape and irrigation plans.

A. When construction landscape and irrigation plans for on-site landscaping are required, they shall be submitted in conjunction with a building permit or subdivision improvement plans.

B. Landscape and irrigation plans shall be prepared by a State Licensed Landscape Architect, Licensed Landscape Contractor or a landscape professional determined to be competent by the Community Development Director.

C. Construction landscape and irrigation plans shall comply with the latest State Model Water Efficient Landscape Ordinance. The Community Development Director or the City Engineer may determine other requirements for the contents of construction landscape and irrigation plans.

17.52.050 Landscape area requirements.

Landscaping shall be provided in the locations specified in this section:

A. All building setback areas and open space areas required by this title that are visible from a public right-of-way shall be landscaped.

B. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped unless it is determined by the Community Development Director that landscaping is not necessary to fulfill the purposes of this chapter.

C. Parking areas shall be landscaped in compliance with Chapter 17.54.

17.52.060 Landscape standards.

Landscape areas and materials shall be designed, installed, and properly maintained in compliance with the following:

A. General design standards. The following features shall be incorporated into the design of the proposed landscape and shown on the required landscape plans.

1. Publicly maintained landscape areas shall be separated from privately maintained landscape areas with, at a minimum, a four (4) inch wide concrete mow strip.

2. Pedestrian access to sidewalks and structures shall be integrated with the design of landscaped areas.

3. Landscape adjacent to driveways and parking areas shall be protected from vehicle damage through the provision of a minimum six (6) inch high and six (6) inch wide concrete curb. An alternative type of barrier may be approved by the Community Development Director.

4. Concrete mow strips, when used, shall be a minimum of four (4) inches in width.

5. Trees and shrubs shall be planted so that at maturity they do not interfere with utility lines and traffic safety sight areas.

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6. Trees and shrubs shall be planted and maintained in a manner that protects the basic rights of adjacent property owners, particularly the right to solar access.
 7. Trees planted within five (5) feet of sidewalks or curbs shall have an eighteen (18) inch by ten (10) foot long linear root barrier placed at each edge of the sidewalk or face of curb, centered on the tree.
- B. Plant materials. Plant materials shall be selected and installed in accordance with the following requirements:
1. The size of ten (10) percent of the trees to be planted shall be twenty-four (24) inch box or larger. The remaining trees shall be sized fifteen (15) gallons or larger.
 2. The size of seventy (70) percent of plants and shrubs shall be at five (5) gallon or larger. The remaining plants and shrubs shall be sized one (1) gallon or larger.
 3. The size of groundcover at planting shall be one (1) gallon or larger.
 4. Groundcover shall be designed to have one hundred (100) percent coverage within two (2) years.
 5. Drought tolerant plant material and climate appropriate species shall be emphasized in the design.

17.52.070 Maintenance of landscaped areas.

A required landscaped area shall be planted with live and healthy plant materials suitable for screening and/or ornamenting the site. Landscaped areas shall be watered by automatic systems and designed and developed in accordance with Chapter 12.08 and the most recent State Model Water Efficient Landscape Ordinance.

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Chapter 17.54

PARKING AND LOADING STANDARDS

Sections:

17.54.010	Purpose.
17.54.020	Application.
17.54.030	General location and use of parking areas.
17.54.040	Number of parking spaces required.
17.54.050	Exceptions to required number of spaces.
17.54.060	Joint use of parking.
17.54.070	Common parking areas.
17.54.080	In-lieu payments for uses within the central parking and business improvement area.
17.54.090	Location of parking spaces.
17.54.100	Standards for off-street parking facilities.
17.54.110	Parking space dimensions.
17.54.120	Off-street loading facilities required.
17.54.130	Standards for off-street loading facilities.
17.54.140	Replacement of off-street parking and off-street loading facilities.
17.54.150	Vehicle parking district.
17.54.160	Screening and fencing.
17.54.180	Landscaping.
17.54.190	Parking for bicycle and low-emission vehicles.
17.54.200	Parking of recreational vehicles and trailers.
17.54.210	Storage and repair of vehicles.
17.54.220	Use of garages and carports.

17.54.010 Purpose.

In order to attempt to reduce traffic congestion and a shortage of curb spaces, off-street parking and off-street loading facilities shall be required as a part of new land uses and major alterations and enlargements of existing land uses. Off-street parking and loading areas are intended to be laid out in a manner which will ensure their usefulness, protect the public safety, and where appropriate, insulate surrounding land uses from their impact.

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17.54.020 Application.

The parking and loading standards in this chapter shall apply to all zone districts, unless otherwise specified.

17.54.030 General location and use of parking areas.

The land areas set aside for parking to meet the provisions of this chapter shall be usable and accessible for the type of off-street parking that is required. Off-street vehicle parking is restricted to only approved off-street parking facilities as designed and developed in accordance with this chapter.

17.54.040 Number of parking spaces required.

A. At the time of the initial occupancy of a site or any existing structure, or of the construction of a building, or of a major alteration or enlargement of a site or building or a change in the use of property that requires additional parking spaces, the number of off-street parking facilities for automobiles shall be provided in accordance with Table 17.54.040.

B. For the purposes of this section, square feet shall mean the gross square feet of a building. Employees shall mean the expected number of employees determined at the time a building permit issued or a use commences.

C. If, in the application of the requirements of this section, a fractional number is obtained, one parking space shall be provided for a fraction of one-half or more, and no parking space shall be required for a fraction of less than one-half.

Table 17.54.040

Number of Parking Spaces	
Land Use	Parking Space Requirement
Assisted living, skilled nursing, or hospice facility; residential care facility	1 space per dwelling unit or 1 space for every 4 beds
Single-family dwelling	2 spaces per dwelling unit; at least 1 space shall be covered (garage or carport)
Multi-family dwelling, Studio or SRO (no bedroom)	1 space per dwelling unit
Multi-family dwelling, 1-bedroom	1.5 spaces per dwelling unit; at least 50% of the spaces shall be covered parking
Multi-family dwelling, 2-bedroom	1.75 spaces per dwelling unit; 50% of the spaces shall be covered parking

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Number of Parking Spaces	
Land Use	Parking Space Requirement
Multi-family dwelling, 3 or more bedrooms	2 spaces per dwelling unit; 50% of the spaces shall be covered parking
Single- or multi-family dwelling specifically for seniors 55 years of age or older	1 space per dwelling unit or 1 space for every 4 beds
Boarding house or rooming house, lodging	1 space per 2 beds
Motel, hotel, or bed and breakfast inn	1 space per guest room, plus 1 space per employee
Live/work facility	1.5 spaces per dwelling unit
Integrated shopping center	1 space per 350 square feet
Retail store	1 space per 300 square feet
Retail store selling large items in showroom; food locker	1 space per 600 square feet
Bank	1 space per 300 square feet
Indoor commercial recreation facility	1 space per 300 square feet
Health or fitness facility, small	1 space per 300 square feet
Restaurant, bar, nightclub, lounge, brewpub, microbrewery	1 space per 125 square feet
Artisan food and beverage production and sales	1 space per 300 square feet
All office and medical uses, except call center, hospital, and pharmacy	1 space per 250 square feet
Call center	1 space per 200 square feet
Hospital	1 space per 3 beds plus 1 space for every 2 employees of the maximum working shift, including doctors
Pharmacy	1 space per 300 square feet

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Number of Parking Spaces	
Land Use	Parking Space Requirement
Government office; social service office, assistance center, or guidance center	1 space per 250 square feet
All service commercial uses	1 space per 300 square feet
Studio for martial arts, music, dance, yoga, exercise, gymnastics or similar	1 space per 500 square feet
All Manufacturing and processing uses except agricultural food production and animal raising; cold storage or ice house	1 space per 1,000 square feet
Mini-warehouse or self-storage	1 space per 250 square feet of office space plus 1 space per caretaker residence
Commercial and industrial uses conducted primarily outside of buildings, including junk yard, wrecking yard, or salvage facility, and vehicle impound yard	1 space for each 2 employees of the maximum working shift
Auditorium; card room; club, lodge, or private meeting hall; funeral home or mortuary; religious institution or facility, theater; community center or facility	1 space per 50 square feet of floor area used for seating if seats are not fixed, 1 space per 4 seats, or 1 space per 8 feet of bench or pew seats
All Recreation uses except indoor commercial recreation facility, small health or fitness facility, and park or playground	1 space per 2 employees of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation.
School, public, private, or charter (kindergarten to 8 th grade)	1 space per employee
School, public, private, or charter (9 th to 12 th grade)	1 space per employee plus 1 space per 10 students (planned enrollment)
School; trade, vocational, art, business, or professional	1 space per employee plus 10 spaces per classroom
College or university	1 space per employee plus 1 space per 5 students (planned enrollment)

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Number of Parking Spaces	
Land Use	Parking Space Requirement
Day care	1 space per employee plus on-site drop-off area
Library, museum, cemetery, fairgrounds, public building and grounds other than offices and educational uses	1 space per 2 employees of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation
Mobilehome park, recreational vehicle park	1 space per 2 employees of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation
Airport, heliport, bus, transit, or train station, truck stop or travel center, trucking or transportation terminal, emergency shelter, warehouse or distribution center	1 space per employee of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation
Post office; public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard; public safety facility or station	1 space per employee of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation
Adult entertainment establishment	As per the most similar specified use as determined by the Site Plan Review Committee
Uses not specifically described in this table	As per the most similar specified use as determined by the Site Plan Review Committee

17.54.050 Exceptions to required number of spaces.

- A. No additional parking spaces shall be required for a change in use or a building enlargement of less than 1,000 square feet in an existing building located within the Historic Overlay Zone or the East Downtown Overlay Zone.
- B. In the event a change in use requires an increase of two (2) or less off-street parking spaces, no additional parking spaces shall be required.

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- C. No additional off-street parking facilities shall be required solely because of the remodeling of an existing use or building, unless there is a change in use or increase in floor area or other unit of measurement as the result of such remodeling.
- D. The total requirements for off-street parking facilities for a mixed-use development shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specifically allowed in this chapter.
- E. Parking lots with forty (40) or more spaces may substitute standard parking spaces with motorcycle spaces if they are located within one hundred fifty (150) feet of a building entry. One standard space may be replaced with a motorcycle space for each forty (40) required spaces, up to a maximum of two-and-one-half (2.5) percent of the total number of parking spaces.
- F. No existing land use or structure shall be deemed to be a nonconforming use solely because of the lack of off-street parking or off-street loading facilities prescribed in this chapter.

17.54.060 Joint use of parking.

The Community Development Director, upon a written application by the owner or lessee of any property, may authorize the joint use of parking facilities for the following uses or activities when all of the following are met:

- A. No more than seventy-five (75) percent of the parking facilities required by this chapter for a primarily daytime will be provided by the parking facilities of a primarily nighttime use, or alternatively, no more than seventy-five (75) percent of the parking facilities required by this chapter for a primarily nighttime use may be provided by the parking facilities of a primarily daytime use. Banks, offices, retail stores, all manufacturing uses, and similar uses are considered typical daytime uses. Theaters, bars and auditoriums are considered nighttime uses.
- B. The building or use for which an application is made for authority to utilize the existing off-street parking facilities provided by another building or use shall be located within two hundred (200) feet of such parking facility.
- C. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.
- D. If the building, structures, or improvements requiring the parking spaces is located on a different lot or parcel from the property upon which the required parking spaces are located, the owner(s) of the properties shall enter into an agreement, in a form approved by the city. The agreement shall name the city as a third party beneficiary and shall state that the purpose of the agreement is to satisfy the requirements of this chapter. The agreement shall also state that it creates a covenant that shall run with the land and that the parties thereto will maintain the required parking spaces upon the property where the parking spaces are located so long as the city requires such parking spaces for the building, structure or improvement. The agreement shall also state that the parking spaces will be used only by persons using the properties which are identified in the agreement and for no other purpose without the express prior written consent of the city. The agreement shall be recorded against title to both properties identified in the agreement so as to become an encumbrance against title to both properties.

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17.54.070 Common parking areas.

Common parking areas for uses that are not integrated shopping centers may be provided in lieu of the individual requirements contained in this chapter, but the plans for such facilities shall be approved by the Community Development Director as to size, shape and relationship to the sites to be served. The total number of such off-street parking spaces shall be reduced by fifteen (15) percent if the site has three thousand (3,000) square feet or more of building floor space.

17.54.080 In-lieu payments for uses within the central parking and business improvement area.

In lieu of furnishing the parking spaces and facilities required by the provisions of this section for uses within the central parking and business area, the city may require the applicant, as a condition of approval of any project which is subject to the provisions of this section, to satisfy said provision by the use of one of the following alternatives:

A. The payment to the city of an amount of money, equal to fifty percent (50%) of the value of each parking space required by the provision of this chapter for the specific use which value shall be fixed every two (2) years by resolution of the City Council based upon a cost analysis of developing municipal off-street parking facilities as determined by the City Engineer. The payment of such amount shall constitute full compliance with the provisions of this section. Payment of such amount shall be made prior to occupancy.

B. The construction of such off-street parking spaces and facilities can be constructed considering the physical limitation of the property available for such purpose and the payment of money to the city in accordance with the provisions of Subsection A of this section for the remainder of the off-street parking spaces and facilities required by this chapter.

17.54.090 Location of parking spaces.

A. Off-street parking and off-street loading shall be located on the same site as the use for which they are required or on an adjoining site, except that within the Central Parking and Business Improvement District may locate required off-street parking within six hundred (600) feet of the use for which the spaces are required, measured by the shortest route of pedestrian access.

B. All parking spaces, whether required by this chapter or in addition that which is required, shall be located on a lot or parcel behind the front building setback and outside of a street side yard setback, except that vehicles may park on a paved driveway in the front building setback area. This requirement applies to both covered and uncovered parking areas.

C. In the Historic Overlay District new parking spaces shall not be located between the main building and a public street.

17.54.100 Standards for off-street parking facilities.

Off-street parking facilities shall conform to the following standards and be approved by Site Plan Review Committee in accordance with Chapter 17.60:

A. All parking areas shall have ingress and egress to and from a street or alley as required by the city's standard specifications.

B. Sufficient room for turning and maneuvering vehicles shall be provided on the site.

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- C. Developed parking areas are to be utilized by all vehicles associated with or visiting the site.
- D. The parking of vehicles on lawn, landscaped areas, or other areas not designed for parking are prohibited.
- E. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved by the Site Plan Review Committee.
- F. Parking lot lighting shall be deflected away from adjoining sites so as not to cause glare to such sites.
- G. No commercial repair work, washing or servicing of vehicles shall be conducted in a parking area.
- H. Parking areas, aisles, and access drives shall be paved with a solid material so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, except that long-term storage areas for vehicles in the C-S, I-L and I-H zone districts may be surfaced with rock, gravel, granite or solid paving.
- I. Parking areas shall be designed to the city's standard specifications and approval by the city engineer.
- J. In all R-L zones and in the R-M, R-H, and OR zones a front setback area and a street side setback area of a corner lot shall not to be paved or used for parking except for an access driveway leading to an allowed parking area beyond the front or street side setback area.
- K. In all R-L zones and in the R-M, R-H, and OR zones of an existing paved driveway perpendicular to the street is permitted if the total width of the existing paving and the new paving does not exceed forty percent (40%) of the lot frontage along the street.
- L. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved areas of these driveways shall not exceed fifty percent (50%) of the front yard landscaped area.

17.54.110 Parking space dimensions.

- A. A standard parking space shall not be less than eighteen and one-half (18.5) feet in length and nine (9) feet in width, exclusive of aisles and access drives.
- B. A compact parking space shall not be less than sixteen (16) feet in length and eight (8) feet in width, and marked for compact cars.
- C. Up to thirty percent (30%) of all parking spaces in a parking lot or parking structure may be compact parking spaces. In parking lots, there shall be no more than four (4) compact spaces adjacent to each other.
- D. The dimensions, design, and construction of parking spaces reserved for handicapped access shall meet the latest adopted California Uniform Building Code.
- E. Motorcycle spaces shall be a minimum size of four (4) feet by eight (8) feet.

17.54.120 Off-street loading facilities required.

At least one off-street loading space shall be provided in connection with a building having a gross floor area of ten thousand (10,000) square feet or more and intended for a use that typically

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receives or delivers goods. This requirement shall not apply to a building adjacent to a public alley. The Site Plan Review Committee may waive this requirement for buildings located within the Historic Overlay District or the East Downtown Overlay District.

17.54.130 Standards for off-street loading facilities.

Off-street loading facilities shall conform to the following standards:

- A. Clearance. Each loading berth shall have a length, width, and overhead clearance sufficient to accommodate fully the maximum expected size of vehicles used in loading or unloading operations.
- B. Turning and maneuvering. Sufficient room for the turning and maneuvering of vehicles shall be provided on the site.
- C. Entrances and exits. Entrances and exits shall be provided at locations approved by the City Engineer.
- D. Paving, drainage, and grading. The loading area, access drives and aisles shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to city standards and the approval of the City Engineer.
- E. Bumper rails and other barriers. Bumper rails or other barriers shall be provided where needed for safety or to protect property as determined by the Site Plan Review Committee.
- F. Lighting. If the loading area is illuminated, lighting shall be deflected away from abutting sites so as not to cause annoying glare to such sites.
- G. Location. Loading areas not permitted in front yards. A loading area shall not be located in a required front setback area. A loading area may be located in a required side or rear setback area.
- H. Restriction of use. No commercial repair work, washing or servicing of vehicles shall be conducted in an off-street loading area.

17.54.140 Replacement of off-street parking and off-street loading facilities.

No off-street parking, or off-street loading facility provided per this chapter shall be reduced in capacity or in area without sufficient additional capacity or additional area being provided to comply with the requirements of this chapter.

17.54.150 Vehicle parking district.

None of the provisions of this chapter shall apply to any parcel of property that is located within a vehicle parking district hereafter formed and existing under the provisions of any parking district act approved by the City Council.

17.54.160 Screening and fencing.

Where an off-street parking area located in a commercial or mixed use zone district adjoins a residential zone district or the O or OR zone district, a solid wall or fence, approximately seven (7) feet in height shall be located at the property line common to such districts, except in a required front setback area. The Site Plan Review Committee may reduce the required height or

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type of screening if they find that the standard screening requirement is not necessary to protect the residential zone district from light, noise, and safety impacts.

17.54.180 Landscaping.

In the O and OR zone districts, and in all commercial, mixed use, and industrial zone districts, not less than five (5) percent of the interior square footage of a parking area shall be landscaped with trees and other plant materials suitable for ornamentation. Parking areas are to have one tree placed at every four (4) lineal parking spaces. Landscaped areas shall be distributed throughout the parking area and peripheral areas to the extent practical in consideration of the size and design of the parking area. Parking lots developed next to a street shall provide a landscape buffer between the street and the parking lot of at least ten (10) feet.

17.54.190 Parking for bicycle and low-emission vehicles.

Parking for bicycles and low-emission vehicles shall be provided in accordance with the latest adopted version of the California Building Code.

17.54.200 Parking of recreational vehicles and trailers.

A. In any residential zone district and in the OR zone district, no recreation vehicle, including without limitation camping trailer, boat trailer, utility trailer, boat, pickup camper, motor home, dune buggy, or similar vehicle/trailer shall be stored or parked, except within an enclosed side or rear yard or within a garage or carport. If a side or rear yard is not accessible due to existing legal permanent structures, a recreational vehicle or trailer may be parked in a driveway or adjacent to a driveway if it does not create a nuisance or safety problem as determined by the Community Development Director.

B. All recreational vehicles or trailers visible from the street are to be maintained so as not to detract from the neighborhood.

C. In no case may a vehicle or trailer of any type be parked in the public street or alley way longer than seventy-two (72) hours or used as a residence.

17.54.210 Storage and repair of vehicles.

A. In any residential district and in the OR zone district, all motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space, garage or carport. Vehicles with custom fitted covers may be stored in an open area when it does not create a nuisance or safety problem as determined by the Community Development Director, cause complaints from neighbors or violate any section of this title.

B. Repair of vehicles owned by the residents of the property and storage of parts shall be within an enclosed garage, or carport if no garage exists. Repair of vehicles not owned by the resident of the property is prohibited. Vehicle repair and storage of parts are prohibited in a driveway and within the front and street side setback areas.

17.54.220 Use of garages and carports.

In any residential zone district and in the OR zone district, garages and carports are to be primarily used for the parking of four-wheeled vehicles. The use of garages or carports for general storage, recreation activities or other uses that prevent the use of the garage or carport for the parking of at least one four-wheeled vehicle is prohibited.

Chapter 17.56

SIGNS AND OUTDOOR ADVERTISING STRUCTURES

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17.56.010 Purpose.

A. The purpose of this chapter is to regulate signs as an information system that preserves and enhances the aesthetic character and environmental values of Hanford, its residential neighborhoods, its downtown, and commercial/industrial areas, while also providing an effective means for members of the public to express themselves through the display of signs. These regulations recognize the importance of business activity to the economic vitality of the City as well as the need to protect the visual environment. Specifically, these regulations are intended to implement the General Plan and to:

1. Provide minimum standards to safeguard life, health, property, public welfare, and traffic safety by controlling the design, quality of materials, construction, illumination, size, location and maintenance of signs and sign structures;
2. Preserve and enhance the visual attractiveness of the City for residents, businesses, and visitors;
3. Protect and enhance property values and community appearance by encouraging signs that are compatible with the architectural style, character, and scale of the building to which they relate and with adjacent buildings and businesses;
4. Restrict signs that may create visual clutter or a nuisance to nearby properties, violate privacy, create hazards or unreasonable distractions for pedestrians and drivers;
5. Provide adequate opportunity for the exercise of the free speech by display of a message or image on a sign, while balancing that opportunity with other community and public interests;
6. Ensure that commercial signs are accessory or auxiliary to a principal business or establishment on the same premises, rather than functioning as general advertising for hire; and
7. Prohibit signs that may cause traffic or pedestrian safety hazards or interfere with ingress and egress.

B. It is the City's policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.

17.56.020 Applicability and severability.

This chapter regulates signs that are located or mounted on private property within the jurisdictional boundaries of Hanford. The provisions in this Chapter apply in all Zoning Districts within the City. No sign within the regulatory scope of this Chapter shall be erected or maintained anywhere in the City except in conformity with this Chapter. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause term or word in this chapter is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the chapter.

17.56.030 No discrimination against noncommercial speech.

Subject to the property owner's consent, a noncommercial message of any type may be substituted, in whole or in part, for any commercial message or any other noncommercial message provided that the sign structure or mounting device is legal without consideration of

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message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this title. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

17.56.040 Exempt signs.

A. The following signs are exempt from the permit requirements of this chapter and do not count toward the total sign area limit for a site, provided that they conform to applicable standards:

1. One nameplate per residence or business premises, mounted on a wall and not exceeding two (2) square feet in area, identifying the owner and/or address of the property.
2. Barber poles, not exceeding 18 inches in height, located in a non-residential zone district and containing no lettering.
3. Signs on vehicles, provided that the message pertains to the establishment of which the vehicle is an instrument or tool, and the sign does not utilize changeable copy or special illumination.
4. Holiday and cultural observance decorations on private property that do not include commercial advertising. This exemption includes strings of lights associated with a holiday decoration.
5. Official notices issued by a court or public agency and posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental agency to direct or regulate pedestrian or vehicular traffic; noncommercial bus stop signs erected by a public transit agency, or other signs required or authorized by law. This exemption also covers signs and banners for special civic events sponsored by the City, which may be displayed in public rights-of-way.
6. Signs that are located entirely within a building or enclosed structure and are not visible from the public right-of-way.
7. Signs located on a private area of a lot that is not accessible by the general public, such as a backyard, and are not visible from the public right-of-way.
8. Signs and menu display boards fixed to mobile vending carts, up to a maximum of eight (8) square feet of sign area, plus a menu display board.
9. Signs that are part of a vending machine.
10. Temporary signs that conform to the standards of Chapter 17.56.
11. Signs images mounted on carrier vehicles such as buses, taxicabs, and limousines that legally pass through the City.
12. Window signs that conform to the standards of Chapter 17.56.

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B. Exempt signs that have electrical connections or engineered supports shall obtain the appropriate building permit, as required by the California Building Code.

17.56.050 Prohibited signs.

A. The following signs shall be prohibited in all zones:

1. Signs illuminated with red, green, or amber light placed in such a position that it could reasonably be perceived to interfere with, or be confused with any official traffic control device, traffic signal, or official directional guide sign.
2. Signs placed within thirty (30) feet of the intersecting curb lines of a street, except for signs erected by a governmental agency to direct or regulate pedestrian or vehicular traffic.
3. Signs so located as to prevent free ingress and egress from any door, window, or fire escape;
4. Outdoor advertising structures located on a site other than the site on which the advertised commercial use is located or on which the advertised commercial product is produced.
5. Signs extending above or beyond the face of the building, the fascia of the roof, the peak of a pitched roof, or the parapet line of a flat roof.
6. Glaring, flashing, sparkling, glittering, twinkling, or shimmering signs.
7. Signs with open letters that can be viewed from the reverse side.
8. Streamers, balloons, blimps, or other floating, inflatable, or hanging devices secured with a rope or string, unless specifically permitted with a temporary use permit.
9. Signs located, placed, or erected in or upon any public right-of-way, except as specifically allowed by this chapter.
10. Signs located, placed or attached upon any tree, utility pole, or fence, except as specifically allowed by this chapter.
11. Signs placed on private property without permission of the property owner.
12. Nonconforming signs and sign structures associated with an activity, business, product or service that has not been sold, produced, provided or conducted on the premises for a period of ninety (90) days;
13. Signs that revolve or are animated, except public service signs, such as time and temperature units and barber poles;
14. Signs containing statements, words, symbols, or characters of an obscene nature;
15. Signs emitting sound;
16. Murals that contain commercial speech.
17. Signs located within five feet of a fire hydrant, street sign, or traffic signal.

17.56.060 Permits required.

A. No sign shall be erected, altered, reconstructed, or relocated without a sign permit. A permit is not required for ordinary maintenance and repairs to signs and for temporary signs on private property that conform to the standards of this chapter. The Community Development Director will review all applications for sign permits for consistency with this chapter.

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B. Signs that project over or extend into a public street or sidewalk shall also require approval of an encroachment permit by the City Engineer pursuant to the provisions of Title 12 of the Municipal Code.

C. Consent of the property owner or business owner is required before any sign permit may be approved.

17.56.070 Sign design principles.

A. The following sign design principles should be used as criteria for review and approval of sign permits and master sign programs.

1. Architectural Compatibility. A sign, including its supporting structure, if any, should be designed as an integral design element of a building's architecture and be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and will not be permitted. Common indicators of compatibility include quality sign design and construction, proportional size and scale; and use of materials, shapes and colors that complement the building's architectural style and the surrounding environment.

2. Legibility. The size and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, should be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics should have sufficient contrast with the sign background in order to be easily read during both day and night. Symbols and logos can be used in place of words. Substantial contrast should be provided between the color and materials of the background and the letters or symbols to make the sign easier to read.

3. Readability. A sign message should be easily recognized and designed in a clear, unambiguous and concise manner, so that a viewer can understand or make sense of what appears on the sign.

4. Visibility. A sign should be conspicuous and readily distinguishable from its surroundings so a viewer can easily see the information it communicates.

5. Placement. Often, a building's architectural details create logical places for signage. Signs should not cover or interrupt architectural details or ornaments of a building's façade. On buildings with a monolithic or plain façade, signs can establish or continue appropriate design rhythm, scale and proportion. Well-designed and well-located retail signs create visual interest and continuity with other storefronts on the same or adjacent buildings.

6. Materials. Signs shall be made of sturdy, durable materials. Paper, cardboard, or other material subject to rapid deterioration can only be used for signs that comply with applicable requirements for temporary signs in Section 17.56. Fabric signs are restricted to awnings, canopies, flags, and temporary Signs.

B. Sign permits or master sign programs that are determined by the Community Development Director to be substantially inconsistent with these sign design principles may be denied.

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17.56.080 Rules for sign measurement.

A. For the purposes of this chapter, lot frontage shall be calculated as follows:

1. If a lot fronts on two streets, both frontages may be used to determine the allowable sign area.
2. If a lot fronts on three or more streets, the length of only two contiguous sides shall be added together to determine allowable sign area.

B. The building frontage shall be the building facade in which main customer access is provided to the establishment. A building's frontage is considered continuous if projections or recesses in the building facade do not exceed fifteen (15) feet in any direction. For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each building frontage.

C. The area of an individual sign shall be calculated as follows.

1. Sign area shall include the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements, including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures such as sign bases and columns are not included in sign area provided that they contain no lettering or graphics except for addresses or required tags.
2. Where two faces of a double-faced sign are located two (2) feet or less from one another at all points, or located at an interior angle of forty-five (45) degrees or less from one another, the sign area shall be calculated as the area of one (1) face. Where the two (2) faces are not equal in size, the larger sign face shall be used. Where two (2) faces of a double-faced sign are located more than two (2) feet or forty-five (45) degrees from one another, both sign faces shall be counted toward sign area.
3. On a three-faced sign, where at least one interior angle is forty-five (45) degrees or less, the sign area shall be calculated as the largest and the smallest face shall. In all other situations involving a sign with three or more sides, sign area shall be calculated as the sum of all faces.
4. Three-Dimensional Signs. Signs that consist of, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), may have a sign area that is the sum of two adjacent sides of the smallest cube that will encompass the sign.

D. The height of a sign shall be calculated as follows.

1. The height of a sign that is not a freestanding sign shall be the vertical distance measured from the ground level directly beneath the sign to the highest point at the top of the sign, including any structural or architectural components of the sign.
2. The height of a freestanding sign shall be measured as the vertical distance from grade at the edge of the right-of-way along which a freestanding sign is placed to the highest point of the freestanding sign, including any structural or architectural components of the sign. When the grade at the edge of the right-of-way is higher than the site on which the sign is placed, that portion of the sign below the grade at the edge of the right-of-way shall not be included in determining the freestanding sign's overall height. Freestanding signs oriented towards a freeway shall be measured from the site's finished grade or pad, whichever is lower.

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E. Sign clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

F. For the purpose of determining the allowed number and size of signs, an integrated shopping center shall be considered as one site.

17.56.090 Sign regulations on developed sites by zone district.

For the purpose of this section, signs are grouped into four types: building signs, freestanding signs, temporary building signs, and temporary freestanding signs.

This section establishes standards for the number of signs, size of signs, placement of signs, and illumination of signs for developed sites based on the zone district in which the signs are located. Table 17.56.090(A) establishes specific regulations by zone district for building signs, and freestanding signs. Table 17.56.090(B) establishes specific regulations by zone district for temporary building signs, and temporary freestanding signs. Signs shall not be placed on private property except in conformance with Table 17.56.090(A) and Table 17.56.090(B).

Table 17.56.090(A)

Number and Size of Permanent Signs by Zone		
Zone District	Building Signs	Freestanding Signs
AP, R-L, R-M, and R-H zones with 4 or less residences per site	1 sign per residence maximum. 4 sq.ft. maximum size per sign. Placement a maximum 8 feet high. External illumination only.	None allowed.
AP, R-M, and R-H zones with 5 or more residences per site or with non-residential uses on site	1 sign per street frontage maximum. 30 sq.ft. maximum size per sign. Placement a minimum 5 feet below roofline. External illumination only.	1 sign per site maximum. 20 sq.ft. maximum size. 6 feet high maximum. External illumination only.
OR zone	1 sign per site. 8 sq.ft. maximum size per sign. Placement a maximum 8 feet high. External illumination only.	1 sign per site maximum. 20 sq.ft. maximum size. 6 feet high maximum. External illumination only.

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Number and Size of Permanent Signs by Zone		
Zone District	Building Signs	Freestanding Signs
C-N, C-R, C-S, C-H, MX-N, MX-C, O, I-L, and I-H zones	No limit to number of signs per business establishment. Allowed square footage per building frontage is cumulative. Establishments with primary building frontage less than 300 feet: 2 sq.ft. per 1 lineal foot up to a maximum 200 sq.ft. along primary frontage. Establishments with primary building frontage 300 feet to 600 feet: Maximum 300 sq.ft. along primary frontage. Sites with primary frontage over 600 feet: Maximum 400 sq.ft. along primary frontage. Secondary building frontage: 1 sq.ft. per lineal foot up to a maximum 200 sq.ft. per secondary frontage. Sites within 100 feet of State Route 198 may count the frontage facing State Route 198 as their primary frontage for the purpose of calculating maximum sign size.	Site with less than 500 feet of primary street frontage: 1 sign per frontage maximum. 40 sq.ft. maximum sign face size. 20 feet high maximum. Sites with 500 feet of primary street frontage: 2 signs maximum on primary frontage. 1 sign maximum on secondary frontages. 60 sq.ft. maximum sign face size. 30 feet high maximum. Sites within 100 feet of State Route 198 may increase the maximum height to 50 feet.
MX-D zone	2 sq.ft. per 1 lineal foot of building frontage up to 100 sq.ft. on primary frontage. 1 sq.ft. per 1 lineal foot up to 100 sq.ft. on secondary frontage. External illumination or exposed neon illumination only.	None allowed.

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Number and Size of Permanent Signs by Zone		
Zone District	Building Signs	Freestanding Signs
PF zone	1 sign per street frontage maximum. 30 sq.ft. maximum size per sign. Placement a minimum 5 feet below roofline. External illumination only.	1 sign per site maximum. 20 sq.ft. maximum size. 6 feet high maximum. External illumination only.
C zone	1 sign per building maximum. 4 sq.ft. maximum size per sign. Placement a maximum 8 feet high. External illumination only.	None allowed.

Table 17.56.090(B)

Number and Size of Temporary Signs by Zone		
Zone District	Temporary Building Signs	Temporary Freestanding Signs
AP, R-L, R-M, and R-H zones with 4 or less residences per site	1 sign per site 12 sq.ft. maximum per sign. Placement a maximum 10 feet high. No illumination.	Up to 4 per site maximum. 16 cumulative sq.ft. maximum sign size. First sign maximum 5 feet high, all other signs maximum 2 feet high. No illumination.
AP, R-M, and R-H zones with 5 or more residences per site or with non-residential uses on site	1 sign per street frontage. 32 sq.ft. maximum size per sign. Placement a minimum 5 feet below roofline. No illumination.	Up to 4 per site maximum. 32 cumulative sq.ft. maximum sign size. First sign maximum 5 feet high, all other signs maximum 2 feet high. No illumination.

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Number and Size of Temporary Signs by Zone		
Zone District	Temporary Building Signs	Temporary Freestanding Signs
OR zone	1 sign per site 12 sq.ft. maximum per sign. Placement a maximum 10 feet high. No illumination.	Up to 4 per site maximum. 16 cumulative sq.ft. maximum sign size. First sign maximum 5 feet high, all other signs maximum 2 feet high. No illumination.
C-N, C-R, C-S, C-H, MX-N, MX-C, O, I-L, and I-H zones	1 sign per establishment. 10 sq.ft. plus an additional 1 sq.ft. per 2 lineal feet of primary building frontage maximum size per sign. Placement a minimum 5 feet below roofline. No illumination.	1 sign per site, plus 1 additional sign for every 300 lineal feet of street frontage, rounded down to the nearest whole number. One half of signs, 32 sq.ft. maximum sign size. Other half of signs, 16 sq.ft. maximum sign size. 8 feet high maximum if more than 3 feet wide. 12 feet high maximum if 3 feet wide or less. No illumination. Sites within 100 feet of State Route 198 may increase the maximum size per sign to 50 sq.ft. and may increase the maximum height to 30 feet.
MX-D zone	1 sign per establishment. 10 sq.ft. per establishment, plus an additional 1 sq.ft. per 2 lineal feet of primary building frontage. No illumination.	1 sign per site. 10 sq.ft. maximum sign size. If placed on sidewalk the sign shall allow for a minimum 4-foot wide path of travel. No illumination. Freestanding banners are not allowed.

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Number and Size of Temporary Signs by Zone		
Zone District	Temporary Building Signs	Temporary Freestanding Signs
PF zone	1 sign per street frontage. 32 sq.ft. maximum size per sign. Placement a minimum 5 feet below roofline. No illumination.	Up to 4 per site maximum. 32 cumulative sq.ft. maximum sign size. First sign maximum 5 feet high, all other signs maximum 2 feet high. No illumination.
CO zone	None allowed.	Up to 4 per site maximum. 16 cumulative sq.ft. maximum sign size. First sign maximum 5 feet high, all other signs maximum 2 feet high. No illumination.

17.56.100 Sign regulations on undeveloped or developing sites.

Undeveloped sites shall be allowed a maximum one temporary freestanding sign of a maximum size of 32 square feet. Illumination of the sign is prohibited.

Developing sites, i.e. construction sites, shall be allowed a maximum two temporary freestanding signs of a maximum size of thirty-two (32) square feet each. Illumination is prohibited.

Temporary signs that are not visible from any public right-of-way shall not be counted in the maximum number or size of signs.

Residential subdivision sites where ten (10) or more new residences are offered for sale shall be allowed one temporary sign of a maximum size of thirty-two (32) square feet. Illumination of the sign is prohibited. The sign shall not be made or constructed from cloth, bunting, plastic, paper or similar material. The sign may be mounted on a building, or may be a freestanding temporary sign of a maximum height of twelve (12) feet. Additional temporary signs, temporary freestanding signs, and flags may be maintained within the boundaries of a residential subdivision provided that they are not visible from outside the residential subdivision and do not create a safety hazard by obstructing the clear view of pedestrian and vehicular traffic.

17.56.110 Offsite temporary signs for residential subdivisions.

A. Residential subdivision sites where ten (10) or more new residences are offered for sale shall be allowed up to four (4) offsite temporary freestanding signs with a size not to exceed thirty-two (32) square feet and a height not to exceed eight (8) feet may be permitted per residential subdivision. Signs shall be located on private, non-residential zoned parcels, or on private, residential zoned parcels that are part of an undeveloped residential subdivision (as defined in

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section 1 hereof) and that are unoccupied, vacant and otherwise free from any structures or buildings. Signs shall not be made or constructed from cloth, bunting, plastic, paper or similar material. Banners and flags with or without an advertising message shall not be permitted offsite.

B. In addition to any sign permitted pursuant to Subsection A. above, up to four (4) nonilluminated offsite temporary freestanding signs in an A-frame configuration, with a size not to exceed twelve (12) square feet per face or four (4) feet in height, may be permitted per residential subdivision. A-frame signs shall be located on private, non-residential property or on public property behind any existing sidewalks, and in such a manner so as to not to create a safety hazard by obstructing the clear view of, or otherwise hinder or impede, pedestrian and vehicular traffic. A-frame signs may only be displayed during the operating hours for the residential subdivision sales office, and may be located no further than one thousand five hundred (1,500) feet from the subject residential subdivision entry. A-frame signs may be allowed on residential zoned parcels within an undeveloped residential that is unoccupied, vacant and otherwise free from any structures or buildings.

C. No more than one offsite temporary subdivision sign per parcel shall be allowed.

17.56.120 Flags and flagpoles.

A. Flags on flagpoles shall not count toward the maximum sign area.

B. Flagpoles shall not be located within any required side or rear building setback areas. Flagpoles may be mounted on the ground or on the roof or wall of a building.

C. The maximum height of a flagpole shall be as follows:

1. Flagpoles located in a C-R, C-S, C-H, MX-C, I-L, or I-H zones shall have a maximum height of fifty (50) feet or a maximum height equal to twice the distance from the base of the pole to the closest lot line, to a maximum of one hundred (100) feet, whichever is greater.
2. Flagpoles located in the R-L, R-M, R-H, OR, AP, CO zones shall have a maximum height of thirty (30) feet, mounted on the ground.
3. Flagpoles located in the C-N, MX-N, O, and PF zones shall have a maximum height of fifty (50) feet.
4. Flagpoles located in the MX-D zone shall have a maximum height of fifty (50) feet or a maximum height of thirty (30) feet plus the height of a building upon which it is mounted, whichever is greater.

D. The maximum width (hoist) of an individual flag on a ground-mounted or roof-mounted flagpole shall be equal to 20% of the height of the flagpole upon which it is located. The maximum length (fly) of an individual shall be twice the allowed width (hoist.)

D. The maximum width (hoist) of an individual flag on a wall-mounted flagpole shall be a maximum six (6) feet by twelve (12) feet.

17.56.130 Search lights and klieg lights.

17. Search lights and klieg lights are prohibited, except when used for public safety purposes or when specifically approved with a temporary use permit for a special event.

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17.56.140 Signs in public rights-of-way.

The following signs are allowed in the public right-of-way:

- A. Building signs in the MX-D zone that project into the public right-of-way, provided that the width of the projecting sign is a maximum of three (3) feet, and that the bottom of the sign is fourteen (14) feet above the finished grade below it.
- B. Building signs located on or under awnings in the MX-D zone that meet the provisions of this chapter.
- C. Temporary freestanding signs placed on the sidewalk in the MX-D zone that meet the provisions of this chapter and when a minimum 4-foot wide clear path of travel is provided.

17.56.150 Temporary sign standards.

- A. Temporary freestanding signs in non-residential zones shall not be located:
 - 1. In any public right-of-way;
 - 2. In parking lot driving lanes, aisles or spaces;
 - 3. On multi-use trails or sidewalks if they would block a four-foot wide pedestrian path of travel;
 - 4. At any location where they would block pedestrian access;
 - 5. Within one hundred (100) feet on either side, or in front of a permanent freestanding sign;
 - 6. Within twenty (20) feet from any other temporary freestanding sign; or
 - 7. Within thirty (30) feet from a drive approach (driveway entrance) or intersection of two streets.
- B. Feather banners and temporary freestanding signs placed on a sidewalk in accordance with this chapter shall be removed between one hour before and one hour after the site's establishment is open to the public.
- C. Banners shall not be used as permanent signs.
- D. Banners and feather banners shall be constructed of durable, weather-resistant materials not subject to rapid deterioration or fading, and shall be professional in appearance. Acceptable materials include but are not limited to vinyl, nylon reinforced vinyl, polyethylene or polyester-like materials, or durable fabric.
- E. Temporary freestanding signs shall be affixed to supporting structures made of a durable, rigid material such as, without limitation, wood, plastic or metal. Feather banners must be secured and stabilized so as to withstand wind gusts, or be removed during windy conditions. Freestanding signs placed on sidewalks in conformance with this chapter are exempt from this subsection if they have a weight and mass that makes them not inadvertently movable.

17.56.160 Size of signs on windows.

Permanent signs affixed to windows shall not cover more than forty (40) percent of each window. They shall not be counted toward the maximum allowable sign size.

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17.56.170 Signs with non-electronic changeable copy.

Non-electronic changeable copy shall represent no more than twenty (20) percent of the total allowable sign area. Changeable copy shall not be changed more than once every twenty-four (24) hours.

17.56.180 Signs with electronic changeable copy.

A. Electronic copy is allowed as a display medium on freestanding signs in the commercial or mixed use zone districts upon issuance of a Conditional Use Permit, issued pursuant to Chapter 17.80.

B. Signs with electronic changeable copy shall meet the following standards:

1. The electronic sign face shall be directed in a manner that is not visible from the front or side of residential properties located in a residential zone district.
2. The electronic sign face shall be an integral part of the remainder of the sign area.
3. Electronic copy shall be limited to no more than thirty (30) lumens output, measured at ten (10) feet from the sign face.
4. No portion of the electronic sign face shall change more frequently than once every six (6) seconds.
5. The electronic sign shall not emit any audible sound, buzz, or noise.
6. The electronic sign shall be operative only during the hours of operation of the associated business establishment.
7. Sign copy or electronic picture displays shall be limited to advertising related to the use(s) on the premises on which the freestanding sign is located, except for message substitution, as allowed in Section 17.56.030.
8. No change of lighting intensity may occur during a display or between displays except to respond to a change in ambient lighting conditions.
9. No display shall create a potential distraction to drivers by virtue of the frequency of changes of images (i.e. the time between images expressed in seconds), and the Planning Commission may impose limitations on the number of images that can be displayed over a specified time period for reasons of traffic safety.

17.56.190 Illumination of signs.

The illumination of signs, from either an internal or external source, must be designed to avoid negative impacts on surrounding rights-of-way and properties. The following standards apply to all illuminated signs:

- A. Sign lighting shall not be of an intensity or brightness that will create a nuisance for residential uses in a direct line of sight to the sign. Illuminated signs located adjacent to any residential area shall be controlled by a rheostat or other acceptable method to reduce glare.
- B. Internally illuminated signs shall be designed with an opaque, semi-opaque, or matte finish background on the sign face.
- C. Light sources for externally illuminated signs shall meet the following standards:

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1. Light sources shall be so arranged and maintained so that the light source is not directly visible from a public right-of-way or adjacent property.
2. Low pressure sodium lighting is the preferred light source to minimize undesirable light into the night sky.
3. High pressure sodium, metal halide, fluorescent, quartz, LED, and incandescent light sources shall be fully shielded.
4. Metal halide and fluorescent light sources shall be filtered. Most glass, acrylic, or translucent enclosures satisfy these filter requirements.
5. Mercury vapor light sources shall be prohibited.

17.56.200 Concealed electrical systems.

External conduits, boxes, and other connections related to the function of a sign and associated lighting shall not be exposed.

17.56.220 Master sign program.

- A. The purpose of the master sign program provisions is to provide a coordinated and flexible design approach to signage for Hanford's commercial shopping districts and office parks. A master sign program is required for any site that contains more than three (3) commercial establishments
- B. A master sign program shall be reviewed by the Community Development Director as an administrative use permit. The Planning Commission shall approve a master sign program when it is proposed with a development project that requires a conditional use permit.
- C. A master sign program shall not be used to grant of a special privilege nor provide more visibility or exposure than is available to similarly situated properties.
- D. Master sign programs shall feature a unified and coordinated approach to the materials, color, size, type, placement and general design of signs proposed for a project or property.
- E. Reasonable conditions of approval may be imposed to achieve the purposes of this section and ensure internal sign design consistency on the site.
- F. After approval of a master sign program, no sign shall be erected, placed, painted, or maintained, except in conformance with such program, and such program shall be enforced in the same way as any provision in this section.
- G. The master sign program and all conditions of approval shall be attached to the lease agreements for all leasable space subject to the master sign program.
- H. Approval of a master sign program does not waive the permit requirements for individual signs that are subject to the program.
- I. The Community Development Director may approve minor amendments to a master sign program that are in substantial conformance with the original approval. All other amendments, including amendments to conditions of approval, shall be processed as a new application. Proposed amendments shall include written concurrence by the property owner.

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17.56.230 Wall mural placement and design criteria.

A. Wall Mural Definition. “Wall mural” or “mural” means an art form consisting of paint applied to a wall surface depicting a scene, personal experience or observation. A wall mural is to be public art, not for the purpose of identifying, advertising or drawing attention to a particular business, service or economic activity. Wall murals are permitted only in the commercial and industrial zone districts.

B. Maximum Number of Murals per Site. One mural per structure. In unique circumstances whereby the design of the mural(s) and structure are enhanced by additional murals, more than one mural per structure may be approved.

C. No Advertising. Words and/or images may not be incorporated within the mural which specifically identifies or reflects the business, products and/or services provided by any business service or economic activity.

D. Placement. Wall murals must be painted directly onto an exterior wall surface. Wall murals may not be prefabricated and thereafter mounted onto a building. Wall murals may occupy an entire single wall on which the mural is applied. The wall mural must be architecturally incorporated into the building so that it does not appear to be a sign attached to the building or have the appearance that the structure is ancillary to the mural. The wall mural may not be mounted on the building roof or extend above the cornice of a flat roof or above the roof eave of a gable or mansard roof.

E. Timing. A wall mural must be completed within 90 days after the date painting commences. The final anti-graffiti protective clear-coat must be applied within this 90-day period. Time extensions may be granted by the Community Development Director in 30 day increments up to a maximum of 60 days upon a showing of good cause.

F. Lighting. Wall murals shall not be illuminated unless such lighting is incidentally and indirectly illuminated from surrounding street and building lighting.

G. Ownership/Maintenance. Maintenance of the wall mural is the responsibility of the property owner. It shall be the property owner’s responsibility to remove the wall mural if it is not maintained as required. Proper maintenance shall include periodic painting so that the wall mural does not exhibit chipping, peeling or fading and other required maintenance as identified in conditions of approval issued by the Community Development Director. Wall murals not maintained at all times as required shall be deemed a nuisance. In addition to its other remedies, the city shall have the right to require removal of the wall mural and if the wall mural is not removed within the time period designated by the City, the City shall have the right to remove the wall mural at the property owner’s expense.

H. Application and Permitting Process. No person shall paint a wall mural on the exterior of any structure or change any existing mural on the exterior of any structure prior to the issuance of a wall mural permit issued by the Community Development Director. An application for a wall mural permit shall be submitted on the form prescribed by the Community Development Director and shall include a colored detailed drawing or sketch of the mural plus any other information as prescribed on the application form. The application must be made by the owner of the structure or include the written consent of the owner of the structure consenting to the painting of the wall mural on the structure consistent with the mural identified in the application.

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Applications for wall murals located within the Central Parking and Business Improvement District will be submitted to the Main Street Hanford Design Review Committee for a recommendation.

- I. Design Criteria. An application for a wall mural permit must satisfy the following criteria:
 1. The subject matter of the wall mural shall be of historical significance regarding the growth and development of the city of Hanford and its surrounding environs. Wall murals can also include buildings, land or seascapes, crop or farm animal depictions or mechanical history depictions.
 2. The colors used in the wall mural shall be complimentary and harmonious with exterior colors of the structure and consistent with historical color pallet. Fluorescent colors are not in keeping with the historical color pallet.
 3. The paint and/or materials to be used and applied on the structure shall be appropriate for use in an outdoor locale for an artistic rendition and shall be of a permanent or long lasting variety.
 4. The proposed wall mural shall exhibit exceptional design quality and incorporate high quality materials that enhance the overall development and appearance of the site.
 5. The proposed wall mural shall be well integrated with the buildings and other elements of the property and be harmonious with surrounding historic character.
 6. The proposed wall mural, by its design, construction and location, shall not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the city's unique character and quality of life.
 7. The wall mural shall be designed and painted by, or supervised by, someone with sufficient knowledge in the design of such projects and the application of paints for such projects.
 8. To the extent feasible, the mural shall be vandal and graffiti resistant.
- J. Conditions of Approval. The Community Development Director shall identify conditions of approval to the issuance of a wall mural permit.
- K. Appeal. The applicant may appeal a decision of the Department to the planning commission as provided in Chapter 17.70.
- L. Hold Harmless. As a condition of approval of any wall mural permit, the applicant, the owner of the structure and the artist shall agree pursuant to language prepared by the City to indemnify and hold the City of Hanford its officials, officers, employees and agents harmless from and against any and all damages or liabilities of whatever nature arising out of or in connection with the wall mural.

17.56.240 Variances and minor deviations.

A variance or a minor deviation to the standards in this chapter may be granted in accordance with Chapter 17.70 and Chapter 17.84.

17.56.250 Nonconforming signs.

A sign or outdoor advertising display of any character lawfully occupying a site prior to the adoption of this zoning code or on the effective date of applicable amendments to the zoning

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code which as a result of the adoption or amendment to the zoning code does not conform with the standards for subject matter, location, size, lighting or movement prescribed for the district in which it is located, shall be deemed to be a nonconforming sign or outdoor advertising structure and may be displayed and maintained in said district, except as otherwise provided in this section.

17.56.260 Maintenance of signs.

- A. All signs and associated supporting structures shall be maintained in like-new condition, without rips, tears, fading and similar damage that inevitably occurs as a result of normal wear and aging.
- B. All signs shall be reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute a nuisance.
- C. Any sign or sign structure that is sagging, leaning, fallen, decayed, broken, deteriorated, ripped, torn, faded, or other deteriorating or dilapidated condition shall be promptly repaired, to the satisfaction of the City, or removed.
- D. Graffiti on a sign shall be removed within two (2) days of notice of its placement on such sign.

17.56.270 Hazardous signs.

Whenever any sign, by virtue of its physical nature and condition, poses an immediate and serious threat to the public safety, the same may be removed by City personnel, or its physical deficiency cured, to the extent necessary to protect the public safety. The cost of such removal or repair shall be assessed against the sign owner.

17.56.280 Abandoned or obsolete signs.

An on-premise sign advertising an activity, business, service or product must be removed within ninety (90) days following the actual discontinuance of the activity, business, service or product. If the sign is not so removed, the Community Development Director may have the sign removed in accordance with the public nuisance abatement provisions of this title. A sign structure is not required to be removed, however, the sign face shall be removed or replaced with a blank face or other sign face consistent with this chapter.

17.56.290 Illegal signs.

Any sign, banner, or sign structure not erected, constructed or located in conformance with this chapter and not classified as a legal nonconforming sign is an illegal sign and is subject to abatement in accordance with the public nuisance abatement procedures of Chapter 17.94.

17.56.300 Enforcement.

Signs which do not conform to the provisions of this chapter and are erected after its effective date and signs erected after the effective date of this chapter without obtaining a permit that is required are declared to be unlawful and a public nuisance. All signs declared to be unlawful by this chapter and all persons erecting or maintaining them shall be subject to the provisions of Chapter 17.94. The Community Development Director shall take necessary actions or proceedings for the abatement, removal and injunction pursuant to Chapter 17.94. The remedies provided for in this section are cumulative and nonexclusive.

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17.56.310 Definitions.

As used in this chapter, the following terms are defined in this section. The images are intended to illustrate some of the sign types that are defined in this section.

"A-Frame sign" means a sign made of wood, plastic or other lightweight and rigid material having the capability to stand on its own support(s) and being portable and movable.

"Animated sign" means a sign with action or motion, whether by flashing lights, color changes, wind, rotation, movement of any parts of the sign or letters or parts of the sign structure, or other motion.

"Awning" means a shelter supported entirely from the exterior wall of a building and composed of a collapsible frame covered completely with nonrigid material.

"Banner" means any flexible material, such as cloth, plastic, vinyl, paper, cardboard or thin metal, with or without a "message", attached outdoors to a building, structure or mounting device, or attached indoors to a building, structure or mounting device so as to be visible from the exterior of a building, or structure. This definition includes a pennant, flag, or bunting.

"Billboard" means a sign which directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.

"Business premises" means a specific business occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific business identity and location.

"Changeable copy" refers to the display of a message that can change by means of moveable letters, slats, lights, light emitting diodes, or moveable background material.

"Erect" means and includes erect, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post, maintain and display.

"Externally illuminated sign" means a sign which has light cast on its surface from an artificial exterior source installed for the purpose of illuminating the sign.

"Flag" is a form of "banner" that is mounted and displayed outdoors on a pole.

"Freestanding sign" means a sign which is permanently supported on the ground by one or more uprights, braces, poles, or other similar structural components that are not attached to any building. This category includes both monument and pole signs.

"Frontage, building" means the distance between the two most distant corners of a building measured in a straight line along the building face.

"Frontage, street" means the distance between the two most distant corners of a site along a single street measured in a line along the street curb, including drive approaches, but excluding curb returns at street intersections.

"Height" means the distance measured vertically from grade to the highest point or portion of the object to be measured.

"Internally illuminated sign" means any sign whose illumination originates from within the structure of the sign and the source of which is not visible from the exterior of the sign.

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"Install" or "installation" means the act by which a sign is constructed or placed on land or a structure, or the act of attaching, painting, printing, producing, or reproducing, or using any other method or process by which a visual message is presented or placed upon a surface.

"Message" means any form of visual communication presented on any type of media. It is not material whether the communication has any logical, practical, literary, or artistic significance or not. It includes any form or combination of letters, graphics, symbols or designs. The term is not intended to include mono-color paint applied to the exterior, trim, fascia, or other architectural elements of a building for protection against the elements.

"Monument sign" means a low-profile freestanding sign supported by a structural base or other solid structural features other than support poles and may contain signage on more than one side.

"Mural" means a sign painted on the exterior wall of a building consisting of graphics or images, either alone or in combination with letters.

"Off-site" or "off-site sign" refers to a sign or banner that promotes or advertises goods, services or activities located or offered on a business premises or parcel that is separate from the parcel where the sign is located, even if the two sites or parcels are contiguous to each other.

"On-site" or "on-site sign" refers to a sign or banner that promotes or advertises goods, services, or activity located or offered on the business premises or parcel of property where the sign is located.

"Outdoors" means a location on undeveloped property or to the exterior of a building or structure.

"Outdoor advertising" refers to the placement of a message on signs or banners located outdoors, or located indoors in a manner such that the message is visible from the exterior of a building or structure.

"Outdoor advertising structure" means a structure erected or maintained for the main purpose displaying commercial outdoor advertising, and located on a site other than the site on which the advertised commercial use is located or on which the advertised commercial product is produced.

"Painted Sign" refers to a sign that comprises only paint applied on a building or structure.

"Parapet wall" means an exterior wall which extends vertically above the roof line.

"Parcels" or "property" or similar references or descriptions shall refer to parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the Glossary of this Code.

"Pedestrian access" means a doorway which has been designed for the primary use of the patrons or customers of that particular use.

"Permanent sign" means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. See also "temporary sign."

"Placed" includes constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing, or making visible in any manner whatsoever.

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"Pole sign" means a permanently mounted, freestanding sign which is supported above the ground by one or more uprights, braces, poles, or other similar structural components.

"Roof line" means the highest point of a parapet wall or the main roof structure or a highest point of a parapet wall other than such architectural features as cupolas, pylons, projections or raised portions of the roof.

"Rooftop or roof-mounted sign" means a sign that extends above the ridgeline of the roof of a building or a sign attached to any portion of the roof of a building. Rooftop or roof-mounted signs are not allowed.

"Sign" means any letter or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever placed for advertising, identification or other similar purposes on the ground or on any wall, post, fence, building, structure, vehicle or on any place whatsoever.

"Sign area" means the geometric area of a sign including all elements such as board or frames, perforated or a solid background, ornamental embellishments, arrows or other sign media. For the purposes of a freestanding sign the structural elements necessary to support the sign are included in the sign area.

"Sign copy" means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign face and/or its structure with the purpose of attracting attention to the subject matter.

"Sign face" means the panel surface of a sign which carries the advertising, information, or identification message.

"Sign structure" means any structure which supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a building. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign including the sign copy and all structural elements of the sign.

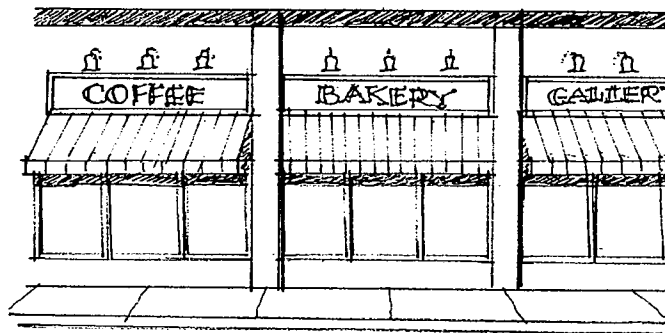
"Structural alteration" means any change to the sign structure.

"Temporary sign" means a sign that is easily moveable and which is not attached to a building, structure, or the ground in such a manner as to be rendered a permanent sign.

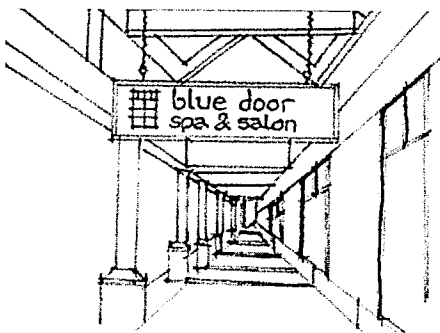
17.56.320 Illustrations of signs.

The following illustrations may be used to visualize the various types of signs regulated in this chapter. This section shall not have any regulatory effect.

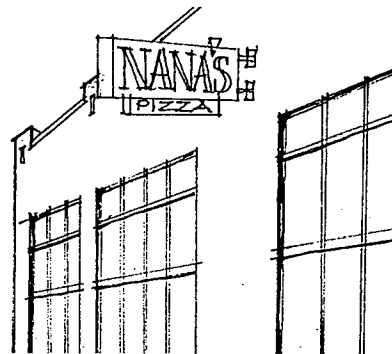
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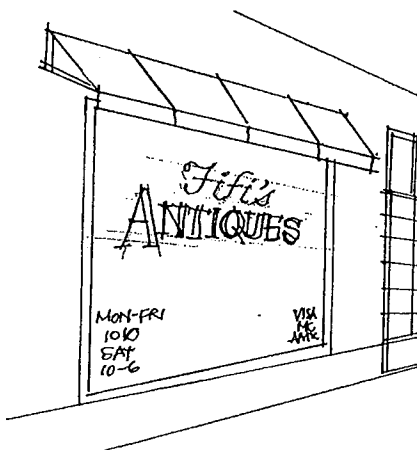
Building Sign



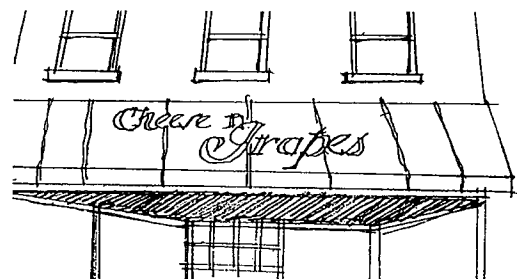
Hanging Sign



Building Sign Projecting over-Right of-Way

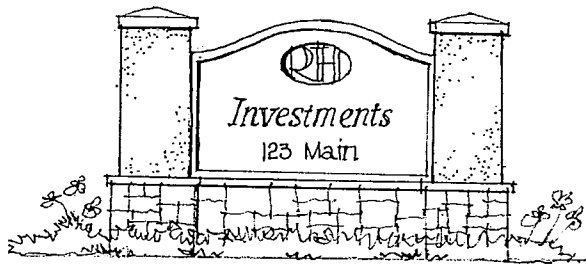


Permanent Sign Affixed to Window

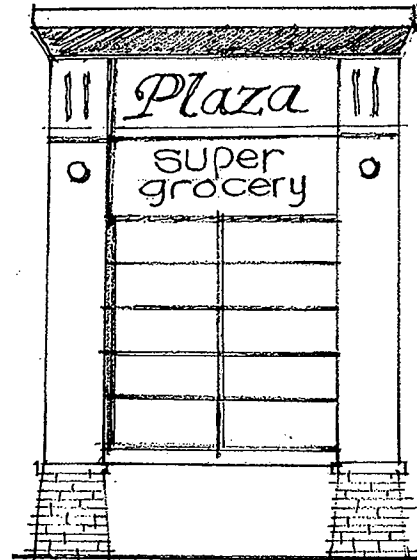


Permanent Sign Affixed to Awning

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Monument Sign (Freestanding Sign)



Pylon Sign (Freestanding Sign)

Chapter 17.60

SPECIFIC LAND USE STANDARDS

Sections:

17.60.010	Purpose.
17.60.020	Applicability.
17.60.030	Accessory dwelling units.
17.60.040	Bed and breakfast inns.
17.60.050	Cottage food operations.
17.60.060	Day care centers.
17.60.070	Drive-thru pick-up windows.
17.60.080	Garage or yard sales.
17.60.090	Manufactured housing.
17.60.100	Mobilehome parks.
17.60.110	Outdoor dining areas.
17.60.120	Outdoor storage areas.
17.60.130	Sale of furniture.
17.60.140	Sale of new and used automobiles and trucks.
17.60.150	Vending machines.

17.60.010 Purpose.

This section requires certain development and operational standards for specific land uses within the city to preserve, protect and promote the public health and safety and to promote orderly growth and aesthetically pleasing urban development.

17.60.020 Applicability.

Specific land uses covered by this chapter shall conform with the provisions of the section(s) applicable to the specific use, in addition to other applicable provisions of this title, including the standards of the zone district where the use is located.

17.60.030 Accessory dwelling units.

This chapter provides standards for accessory dwelling units located on the same site as an existing single-family residence located in either the RL-5, RL-12, RL-20, or OR zone district. All accessory dwelling units shall meet the following standards:

A. Floor Area. An accessory dwelling unit shall not exceed one thousand two hundred (1,200) square feet of floor area if separated from the existing single-family dwelling. If attached to the

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existing single-family residence, the floor area of the second unit shall not exceed fifty (50) percent of the existing living area of the existing single-family dwelling. A manufactured home shall not be less than eight (8) feet wide by forty (40) feet long and three hundred twenty (320) square feet in floor area. An efficiency unit shall not be less than one hundred (150) square feet in floor area and meet all space and occupancy standards of Chapter 5 of the Uniform Housing Code.

B. Location. An accessory dwelling unit shall be located either to the side or to the rear of the existing single-family residence and shall be either attached to the existing single-family dwelling or be separated from the existing single-family detached residence by not less than ten (10) feet or the separation as allowed by the Uniform Building Code, whichever is less.

C. Access. Doorway access shall be provided either to the side or rear of the accessory dwelling unit. Direct doorway access to the front yard by the second unit shall be prohibited.

E. Owner Occupancy. Either the existing single-family detached residence or the accessory dwelling unit shall be occupied by the owner of the property.

F. Off-Street Parking. A minimum one (1) additional off-street parking space shall be provided for the accessory dwelling unit. The additional parking space may be a paved tandem space on an existing driveway. The additional parking space shall be waived if in any of the following instances:

1. The accessory dwelling unit is located within one-half (0.5) miles of public transit.
2. The accessory dwelling unit is located within an architecturally and historically significant historic district.
3. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
5. When there is a car share vehicle located within one block of the accessory dwelling unit.

G. Utility Services. Accessory dwelling units shall be provided with water, sewer and other utilities as determined by the building official.

H. Architectural Appearance. An accessory dwelling unit shall be designed and constructed so as to blend with the single-family dwelling and be architecturally similar in appearance in order to be consistent with the existing single-family dwelling's design, construction, height, roofing, siding materials, and color.

J. Except as specifically set forth in this section, an accessory dwelling unit regulated pursuant to this chapter shall meet all of the requirements of the zone district in which the accessory dwelling unit is located including, without limitation, requirements regarding fences, walls and hedges; site area, frontage width, and depth of sites; coverage; yard requirements; height of structures; distances between structures; signs; and general provisions and exceptions.

K. An application for an accessory dwelling unit shall not be denied solely based on any maximum density requirement or standard.

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17.60.040 Bed and breakfast inns.

- A. Bed and breakfast inns shall be limited to a maximum six (6) rooms for rent per site. No person who is paying rent in exchange for lodging shall occupy a guest room on the premises for more than fourteen (14) consecutive nights;
- B. Food service at bed and breakfast inns shall be allowed for registered guests only, unless the use also qualifies as a restaurant.
- C. The scale and appearance of the bed and breakfast inn shall remain primarily residential in character. All buildings and site improvements shall be similar to and compatible in design with the surrounding neighborhood and adjacent residences.

17.60.050 Cottage food operations.

- A. Cottage foods operations operating in accordance with AB1616 shall be considered a home occupation and shall obtain a home occupation permit in accordance with Chapter 17.78 prior to commencement of the use.
- B. Notwithstanding the provisions of Chapter 17.78, a cottage food operation is allowed to employ one full-time equivalent employee on site.
- C. Notwithstanding the provisions of Chapter 17.78, a cottage food operation may sell food produced on-site directly to consumers at the site.
- D. A cottage food operation shall be conducted in the residence's existing kitchen.
- E. An approved home occupation permit shall not be effective until the appropriate permit is obtained from the Kings County Health Department and shall automatically expire and be null and void if County permit or approval expires, is disapproved, or is revoked.

17.60.060 Day care centers.

- A. A loading and unloading area shall be provided to accommodate no less than two (2) vehicles.
- B. The loading and unloading area shall be located within proximity to the main entrance. And shall not be located on the opposite side of a street from the day care center.

17.60.070 Drive-thru pick-up windows.

- A. All uses with a drive-thru pick-up window shall meet the following standards:
 - 1. Drive-thru lanes shall be located outside of all building setback areas and all required landscaped areas.
 - 2. Drive-thru lanes shall be designed, located, and constructed in a manner that avoids trapping vehicle emissions in a confined space.
 - 3. Drive-thru lanes shall be located a minimum of fifty (50) feet from existing residential uses and from residential zone districts and must be separated from residential areas by buildings, extensively landscaped areas, or decorative block walls.
 - 4. Drive-thru lanes shall be constructed with the necessary vehicle stacking capacity so that vehicles using the drive-thru lane do not overflow into the on-site parking aisles or public streets.

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5. Drive-thru lanes shall be shielded in a manner approved by the city to eliminate vehicle headlight glare into adjoining land and on-coming traffic approaching the drive-thru site property.
 6. The installation of a drive-thru pick-up window and associated improvements shall not reduce the number of required parking spaces below the minimum zoning requirement for parking upon the drive-thru site property.
 7. Drive-thru lanes shall not be located adjacent to outdoor patio or eating areas.
 8. Drive-thru lanes shall not block or interfere with access to parking lot spaces, and shall function independent of parking lots aisles.
 9. Drive-thru lanes shall not extend onto adjoining property unless the owner of the drive-thru site property obtains a written easement or other irrevocable right from the adjoining landowner to construct improvements upon and use the adjoining property for the drive-thru use including, without limitations, the stacking of vehicles and the right to maintain, repair, replace and remove such improvements. The written document shall be executed by the owner of the drive-thru site property and the owner of the adjoining property and recorded against title to the adjoining property prior to commencement of construction of improvements upon the drive-thru site property.
 10. A use with a single drive-thru lane shall accommodate a minimum of six (6) vehicle stacking spaces per lane with a minimum of four (4) stacking spaces before the ordering speaker and two (2) stacking spaces after the ordering speaker. Each vehicle stacking space in a drive-thru lane shall be a minimum of twenty (20) feet in length.
 11. A use with drive-thru lanes on each side of the store (two (2) lanes) shall accommodate a minimum of four (4) vehicle stacking spaces per lane with a minimum of two (2) stacking spaces before the ordering speaker and two (2) stacking spaces after the ordering speaker in each drive-thru lane. Each vehicle stacking space in a drive-thru lane shall be a minimum of twenty (20) feet in length.
 12. Speaker noise levels measured at the property line shall not exceed applicable city noise standards.
- B. In addition to the development standards for all uses with drive-thru pick-up windows uses, a restaurant with a drive-thru pick-up window shall be located on a parcel at least one-half acre in size or in a group of adjoining parcels with reciprocal access easements that collectively are equal to or greater than one-half (0.5) acre in size.
- C. In addition to the development standards for all uses with drive-thru pick-up windows and the development standards for restaurants with drive-thru pick-up windows, the following development standards are required for all uses with drive-thru pick-up windows in the Neighborhood Commercial zone district:
1. Unless otherwise restricted by a conditional use permit issued in accordance with Chapter 17.80, hours of operation of the drive-thru use shall be limited to 6:30 a.m. and 10:00 p.m. on weekdays and weekends.

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2. All buildings and drive-thru lanes shall be located a minimum of one hundred fifty (150) feet from residentially zoned property or property designated for residential uses pursuant to the General Plan.

17.60.080 Garage or yard sales.

A. The sale of personal possessions in outdoor areas or from the garage of a dwelling within an R-L, R-M, R-H, or OR zone district shall be limited to no more than two such sales per year. Commonly referred to as garage sales, such each sale shall be limited to two consecutive days and unsold possessions shall be removed from the public view and stored within the premises.

B. Materials to be sold shall be personal possessions. No materials shall be offered for sale that have been acquired solely for the purposes of the garage sale.

C. The driveway, yard, or other space used for the purposes of the sale shall be restored to its normal residential character at the conclusion of the sale, including removal of all signs.

17.60.090 Manufactured housing.

The provisions of this section shall apply to all manufactured homes not located in an approved mobile home park:

A. No manufactured home shall be installed that was manufactured more than ten (10) years from the date of application for a building permit for installation.

B. All manufactured homes shall meet the following site or architectural standards:

1. Garages and Carports. A minimum of a one-car garage or carport shall be provided for every manufactured house. The parking requirements of Chapter 17.54 shall also apply.

2. Minimum Width and Floor Area. The width and floor area of a manufactured housing unit shall be the average of other residences in the zone district in which it is located.

3. Roof Overhangs. All manufactured housing units and garages shall have a pitched roof with a minimum sixteen (16) inch roof overhang on each of the perimeter walls such that the overhang is architecturally integrated into the design of the dwelling unit.

4. Roofing Materials. All manufactured housing units and garages and carports located on the lot shall have a roof constituted of asphalt composition, clay, tile, concrete or metal tile or panels, slate or built-up asphaltic-gravel materials.

5. Siding Materials. All manufactured housing units and garages located on the lot shall have similar exterior siding materials consisting of wood, masonry, concrete, stucco, Masonite, or metal lap. The exterior siding material shall extend to the ground level, except that when a solid concrete or masonry perimeter foundation is used, the siding material need not extend below the top of the foundation.

6. Foundations. All manufactured housing units and garages and carports shall be placed on a permanent foundation which meets the applicable building code requirements and/or the provisions of Section 18551 of the State Health and Safety Code such that the floor elevation of the dwelling is reasonably compatible with the floor elevations of the surrounding dwelling units.

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7. Utility connections. The mobile home electrical, gas, water and drain connections shall be made permanent in a manner applicable to permanent buildings. Gas shut-off valves, meters and regulators shall not be located beneath the manufactured homes.

8. Deviations. The community development department may approve deviations from one or more of the standards of this subsection on the basis of a finding that the architectural style proposed provides compensating design features and that the proposed dwelling will be compatible and harmonious with existing structures in the vicinity.

C. Surrender of Registration. Subsequent to applying for a building permit, and prior to the occupancy of a mobilehome or manufactured home on a permanent foundation, a certification of occupancy is to be issued by the building official pursuant to Section 18551 of the State Health and Safety Code. Thereafter, any vehicle license plate, certificate of ownership, and certificate of registration issued by a state agency shall be surrendered back to the issuing state agency. Any mobile/manufactured home on a permanent foundation shall bear a state insignia or federal label pursuant to Section 18550 of the State Health and Safety Code.

17.60.100 Mobilehome parks.

A. No mobilehome shall be parked, occupied or used for any purposes, including without limitation living or sleeping purposes, unless the mobilehome is located within a licensed mobilehome park, except that a mobilehome may be used for the following temporary purposes outside of a mobilehome park: as an office for a construction project, circus or carnival; as a residence of a watchman on the site of a construction project or an industrial facility to provide temporary living quarters for personnel in accordance with the provisions of Chapter 17.76.

B. The site area standards for a mobilehome park shall be as follows:

1. The minimum area of a mobilehome park shall be five (5) acres. If the area of the mobilehome park is greater than five (5) acres, the first phase of mobilehome park development shall not be less than five (5) acres and shall include all required recreational and service amenities.

2. The maximum density shall be eight (8) mobilehome sites per gross acre.

3. Each mobilehome site shall be not less than three thousand (3,000) square feet in area, including pad, parking, private access, landscaping and private storage area.

4. No mobilehome site shall be less than thirty (30) feet in width.

B. The following clearance and setback area requirements shall apply to mobilehome parks. No mobilehome shall be located in any required building setback area, except that tow bars may extend into such setback area.

1. The front and rear building setback areas for the site shall be a minimum of twenty (20) feet.

2. The side building setback areas for the site shall be a minimum of ten (10) feet.

3. The front, rear, and interior side setback areas for a mobilehome site shall be a minimum of ten (10) feet.

4. The street side setback areas (including driveways interior to the site) for a mobilehome site shall be a minimum of five (5) feet.

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C. The following requirements for patios and pads shall apply to mobilehome parks.

1. Each mobilehome site shall have a hard surfaced patio area of not less than two hundred (200) square feet. A permanent porch greater than twenty (20) square feet in area may be counted as a part of the required patio area.
2. Each mobilehome site shall have a support pad of concrete or asphalt concrete laid over a compacted surface base which, in combination, are adequate to support the mobilehome on a level plane.

D. The following requirements for parking shall apply to mobilehome parks.

1. Not less than two (2) off-street paved parking spaces shall be provided within each mobilehome site, one of which may be tandem to the other.
2. Not less than one (1) guest parking space shall be provided for each mobilehome site at a location central to each four (4) contiguous mobilehome sites; provided, however, guest parking shall not be required for mobilehome sites along a mobilehome park collector street constructed to the width prescribed in subsection E of this section.
3. Parking shall be provided for central recreation buildings, park offices, and other similar buildings at a ratio of one parking space for each four hundred (400) square feet of gross floor space.
4. Supplemental parking for pleasure boats, recreation vehicles, and unoccupied travel trailers shall be provided at a ratio of one parking space for each ten (10) mobilehome sites and shall be used only by the mobilehome park tenants. Such parking shall be clustered, easily accessible via interior drives, and shall be screened from view by means of a solid ornamental fence or wall and landscaping.
5. All parking areas and spaces shall be designed and constructed in accordance with the provisions of Chapter 17.54.

E. The following requirements for on-site streets shall apply to mobilehome parks.

1. Entrance streets shall be located to assure safe access to and from the public street system.
2. Minor streets within the mobilehome park shall be a minimum of thirty-two (32) feet of paved width, and collector streets shall be a minimum of forty (40) feet of paved width. Construction and paving of the streets shall be in accordance with city standards.
3. Drainage along the street shall be constructed to provide adequate drainage. Construction of concrete curbs, gutters, and sidewalks shall be in accordance with city standards.
4. Parallel parking shall be permitted on both sides of collector streets and on only one side of a minor street. Such on-street parking shall be in addition to the off-street parking requirements of this chapter.

F. Driveways for individual mobilehome sites, street signs, interior street lighting, storm drainage facilities, and water and sewer systems shall be installed subject to the approval of the City Engineer and in accordance with city standards.

G. All public utilities shall be installed underground, including electrical, telephone, street lighting cable, community television antenna connections, and ducts for cable television. A

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community television antenna and cable television with underground ducts and connections to each mobilehome site shall be provided.

H. The following requirements for recreation areas and pedestrian ways shall apply to mobilehome parks.

1. Common recreation areas in an aggregate total equal to ten (10) percent of the gross area of the mobilehome park shall be provided at a location or locations which are easily accessible and convenient to park residents. The calculation of the common recreation areas shall not include yard areas, pedestrian ways, management offices, laundry and tenant storage areas, and parking areas.
2. Recreation areas shall be landscaped and maintained with all landscaped areas irrigated by an automatic underground sprinkler system.
3. Pedestrian walkways shall be provided throughout the mobilehome park connecting all mobilehome sites with each other and with common recreation areas. Such pedestrian walkways shall be provided where possible at locations away from the interior street system to avoid conflicts in pedestrian and vehicle traffic.
4. Common recreation areas may include parks and open space, playgrounds, clubhouses, community centers, and similar recreational uses.

I. Mobilehome parks shall provide permanently maintained landscaped areas and site screening as follows:

1. A landscaped border along the front setback area and along the rear setback area if it is adjacent to a public street;
2. An ornamental wall or fencing, seven (7) feet in height along all interior side property lines and along all rear property lines that do not abut a public street; and
3. An ornamental screen wall or fencing seven (7) feet in height along the street side yard and street front yard setback lines.

J. Each mobilehome park shall provide the following additional facilities:

1. A laundry building for clothes washing and drying;
2. Trash enclosures at locations along the interior street system and integrated with the guest parking areas and which are convenient for all residents and for access by municipal refuse trucks.

K. At the time of the placement on the site, all mobilehomes shall be fitted with appropriate skirts to obscure stands, pads and undercarriage equipment.

L. Mobilehomes may be displayed and sold within a mobilehome park similar to the sale of model homes within a residential subdivision, provided such mobilehomes are not sold for delivery to any location other than within the park in which sold and are at all times placed on mobilehome sites and connected to all utility services. No more than four (4) mobilehomes shall be offered for sale at any one time, and advertising for such sales shall be limited to one non-illuminated sign not exceeding four (4) square feet in area on the site of each mobilehome offered for sale.

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17.60.110 Outdoor dining areas.

A. The purpose of this section is to promote increased business and pedestrian traffic by providing safe and visually appealing opportunities to create outdoor dining areas in certain commercial zone districts.

B. The following definitions shall apply to this section:

1. "Outdoor dining area" means the use of portions of public sidewalks, public rights-of-way and sidewalk areas within a shopping center as identified in this chapter and/or on-site open space used by a dining establishment or drinking establishment for the serving and consumption of food and/or beverages. Pass through window and sidewalk counter service is also allowed when an outdoor dining area is provided pursuant to this section.

2. "Dining establishment" means a structure whose principal use is the serving of food to the general public, including, without limitation, a restaurant, candy shop, ice cream shop, bakery, sandwich shop, coffee shop/house, delicatessen, pizza parlor, hotdog/hamburger/taco/salad bar stand and the like and where the sale of any alcoholic beverage is an accessory use.

3. "Drinking establishment" means a structure whose primary use is the serving of alcoholic beverages to the general public and the serving of food is an accessory use.

C. Where Permissible. All outdoor dining areas must be located and operated adjacent to and incidental to the operation of a dining establishment or drinking establishment. Use of the sidewalk must be confined to the actual sidewalk and public right-of-way frontage of a dining establishment and must not encroach upon adjacent sidewalk or public right-of-way. Subject to the provisions of this section on-site open space areas may also be used as an outdoor dining area.

D. Required Sidewalk Width. Use of the sidewalk area for an outdoor dining area is permitted only where the sidewalk is wide enough to allow for a minimum of four (4) consecutive feet of sidewalk width at every point in front of the dining establishment which is clear and unimpeded for pedestrian and wheelchair traffic.

E. Alcoholic Beverages. The service of alcoholic beverages and its consumption by customers in an outdoor dining area shall be restricted as follows:

1. The outdoor dining area must be immediately adjacent to and abutting the dining establishment or drinking establishment.

2. The outdoor dining area, when serving alcohol and when permitted by this section to be located on a sidewalk, must be clearly delineated from pedestrian traffic with a minimum thirty (30) inch to a maximum thirty-six (36) inch tall removable open style railing, fence or roped boundary or plants and flowers in ornamental planter boxes and pots that are architecturally compatible with the structure housing the dining establishment.

3. The operator shall post a written notice to customers as approved by the city which states that the drinking or carrying of an alcoholic beverage is prohibited and unlawful outside of the outdoor dining area.

4. The service of the alcoholic beverages in the outdoor dining area must be licensed by the California Department of Alcoholic Beverage Control and comply with all licensing requirements.

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5. For drinking establishments, the service and consumption of alcoholic beverages is restricted to only on-site outdoor areas enclosed by a six (6) foot tall solid wall or fence architecturally compatible with the structure housing the drinking establishment.
- F. Health Standards. Prior to serving any food or beverage in an outdoor dining area, the outdoor dining area must be inspected and approved by the Kings County Health Department. All exterior surfaces within the outdoor dining area shall be kept clean at all times. Restrooms shall be provided in the adjoining dining establishment or drinking establishment. The operator shall maintain the outdoor dining area, including without limitation, the sidewalk surface and furniture and adjacent areas, in a clean and safe condition at all times.
- G. Hours of Operation. Hours of operation for outdoor dining areas are to coincide with those of the dining establishment, or drinking establishment, or the hours of operation set by the Alcohol Beverage Control license if alcohol is served, whichever is more restrictive.
- H. Special Closures. The city shall have the right at any time, and from time to time to prohibit the use of the public sidewalk and public right-of-way as an outdoor dining area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades, marches, repairs to the street or sidewalk, or from emergencies occurring in the area.
- I. Permit Issuance, Findings, and Conditions. In order to operate an outdoor dining area, a person must obtain an outdoor dining area permit issued by the Community Development Director. The application for an outdoor dining permit shall be processed as an administrative use permit as provided in Chapter 17.74. The application for the outdoor dining permit shall be accompanied by a filing fee established by the city and an accurate drawing showing the configuration of the outdoor dining area, including without limitation, table placement and the method of separating the outdoor dining area from pedestrian traffic. The following conditions must be satisfied before an outdoor dining permit can be issued:
1. The proposed operation of the outdoor dining area satisfies all of the applicable provisions of this section.
 2. An outdoor dining area located on a public sidewalk or public right-of-way shall have the same floor elevation as the sidewalk or right-of-way area.
 3. No signage is allowed in the outdoor dining area except for one menu display sign no larger than four (4) square feet per face. Signs with more than two (2) faces are prohibited. Only plain unmarked umbrellas may be used in an outdoor dining area. Professionally designed temporary special for the day sign may be permitted up to a total of two (2) square feet in area.
 4. The applicant shall execute an indemnity agreement in a form provided by the city pursuant to which the applicant agrees to indemnify, defend and hold the city and its officials, officers, employees and agents harmless from any and all claims, damages, costs, including reasonable attorney fees, and losses arising from, or in any way related to the applicant's operation of the outdoor dining area.
 5. If any portion of the outdoor dining area is located in the public sidewalk or public right-of-way, the applicant shall maintain, at all times during which the outdoor dining permit is in effect, a policy of general comprehensive liability insurance with limits as approved by the city and insuring against injury or death of a person and for claims of property damage resulting from the

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applicant's use of its outdoor dining area. The city and its officials, officers, employees and agents shall be named as additional insured under such insurance policy.

6. Such other conditions as the city may deem necessary, including, without limitation, conditions to ensure the public safety, to protect public improvements and provide aesthetic improvements.

7. No merchandise of any kind shall be displayed in the outdoor dining area except as specifically allowed by the outdoor dining permit.

J. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, shall be movable. All outdoor furniture must be of commercial quality to withstand the wear of outdoor use; plastic tables and chairs are not permitted. Umbrellas must be secured with a minimum base of not less than sixty (60) pounds.

K. Term. An outdoor dining permit is personal to the applicant and may not be transferred, assigned or conveyed to any other person. An outdoor dining permit shall terminate on the date the applicant no longer operates the outdoor dining area or discontinues the use of the outdoor dining area for a continuous twelve (12) month period. If a dispute arises as to the date of termination, the decision of the city as to the date of termination shall be final and binding upon the applicant.

L. Violation/Revocation. The Community Development Director shall provide written notice to an applicant of any violation of its outdoor dining permit. Such written notice shall identify the violations of the outdoor dining permit and any provisions of this section. The applicant shall have seven (7) days from the date of such written notice to cure the violations identified in the written notice. If the violations are not cured to the satisfaction of the community development department within said seven (7) day period, the applicant's outdoor dining permit shall automatically terminate without further action by the city and the applicant shall immediately discontinue use of the outdoor dining area. If the city, in its sole discretion, determines that the continued operation of an outdoor dining area is an immediate threat to the health or safety of any citizen of the city, the community development department may immediately, and without written notice and opportunity to cure, revoke an outdoor dining permit. If an outdoor dining permit is terminated or revoked, the city shall not process an application for an outdoor dining permit for that same manager/owner of the premises for a period of six (6) months from the date of termination or revocation.

M. Appeal Procedures. A decision of the community development department pertaining to the outdoor dining application or permit may be appealed in accordance with the provisions of Chapter 17.70.

O. Enforcement. The Community Development Director, Code Enforcement Officer, police department or other person authorized by the City Manager, shall be authorized to enforce provisions of this section and to take such action as may be necessary to ensure compliance with this section.

17.60.120 Outdoor storage areas.

Outdoor storage of materials or equipment that occupies a volume of more than sixty (60) cubic feet and is visible from any abutting public street or abuts property used for residential purposes,

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meet the following standards. This section does not apply to temporary storage, such as storage during construction.

- A. Outdoor storage areas shall be enclosed by a view-obscuring fence or wall at least six (6) feet in height. All gates provided for ingress and egress in any required fence or wall shall be at least six feet in height and shall be of view-obscuring construction.
- B. Materials shall be stacked in outdoor storage areas to a height no greater than that of any building, wall, fence, or gate enclosing the storage area. This subsection shall not apply to a junk yard, wrecking yard, or salvage facility.
- C. No storage shall be permitted in any required front or side yard setbacks adjacent to a public street or highway.

17.60.130 Sale of furniture.

It is intended that furniture stores will be the primary sellers of furniture. Furniture may also be sold at a retail sales store having a total floor area of over fifty thousand (50,000) square feet where the furniture for sale is displayed in a single display area no larger than two thousand five hundred (2,500) square feet.

17.60.140 Sale of new and used automobiles and trucks.

In all zone districts, the off-site sale of new and used automobiles and trucks is prohibited. New and used automobile and truck sales shall be conducted only at the permanent property address listed for the dealership on its Department of Motor Vehicles dealer license.

17.60.150 Vending machines.

The preferred location for vending machines is inside buildings. Vending machines installed outdoors shall meet the following requirements:

- A. Outdoor vending machines shall be located along the face of a building or against a structure designed to accommodate them.
- B. A minimum walkway of four (4) feet is required in front of all outdoor vending machines.
- C. Outdoor vending machine shall not be installed in the public right-of-way or immediately adjacent such that it would cause customers to stand in the right-of-way in order to use the machine.
- D. Outdoor vending machines shall be an ancillary use to an approved primary use and may not be located on an unimproved lot.
- E. Outdoor vending machines shall not be placed in a location that will block parking areas or create an unsafe situation.
- F. Vending machines are permitted to cover up to a maximum of ten (10) percent of the length of the primary building frontage, or twenty (20) feet, whichever is less.
- G. Vending machine installations shall not have exposed conduits, piping or overhead utility connections.
- H. All outdoor machines shall be maintained in a clean and attractive condition.
- I. Any graffiti on an outdoor vending machine shall be removed within twenty-four (24) hours.

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- J. If the outdoor machine is removed the area shall be cleaned and restored, including the removal of any conduits or other connection hardware.

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Chapter 17.62

ADULT ENTERTAINMENT ESTABLISHMENTS

Sections:

- 17.62.010 Purpose and intent.**
- 17.62.020 Definitions.**
- 17.62.030 Prohibitions.**
- 17.62.040 Measure of distance.**
- 17.62.050 Development and maintenance standards.**
- 17.62.060 Application.**
- 17.62.070 Other regulations, permits or licenses.**
- 17.62.080 Protection of minors.**
- 17.62.090 Private viewing rooms.**
- 17.62.100 Regulations governing existing adult entertainment establishments.**

17.62.010 Purpose and intent.

- A. It is the purpose of this chapter to establish reasonable and uniform regulations to prevent the concentration of adult entertainment establishments, as defined herein, within the city.
- B. It is the intent of this title that these regulations be utilized to prevent problems of blight and deterioration which accompany and are brought about by the concentration of adult entertainment establishments.

17.62.020 Definitions.

- A. It is the purpose of this section to provide clear and concise definitions of those words, terms and phrases most commonly utilized in the regulations and provisions of this chapter in order to assist in the uniform interpretation of said regulations and provisions and to insure uniformity in their application.
- B. It is intended that the following words, terms and phrases, whenever used in this chapter, shall be construed as defined in the following subsections, unless from the context a different meaning is specifically defined and more particularly directed to the use of such words, terms and phrases:

“Adult bookstore” means an establishment that devotes more than fifteen (15) percent of the total floor area of the premises for the display or sale of the following:

- 1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or forms of visual or audio representations which

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are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or

2. Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.

“Adult cabaret” means an establishment that regularly features live performances that are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas and/or which regularly features films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

“Adult drive-in theater” means an open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats, and presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

“Adult mini-motion picture theater” means an establishment, with a capacity of more than five (5) but less than fifty (50) persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

“Adult model studio” means any establishment open to the public where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed so similarly depicted by persons, other than the proprietor, paying such consideration or gratuity. This definition does not include any school of art that is operated by an individual, firm, association, partnership, corporation or institution that meets the requirements established in the Education Code of the State of California for the issuance or conferring of, and is in fact authorized thereunder to issue and confer a diploma.

“Adult motel” means a motel or similar establishment offering public accommodations for any form of consideration which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

“Adult motion picture arcade (peep shows)” means any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

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“Adult motion picture theater” means an establishment, with a capacity of fifty (50) or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

“Adult theater” means a theater, concert hall, auditorium or similar establishment, either indoor or outdoor in nature which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

“Body painting studio” means an establishment or business that provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude in terms of specified anatomical areas.

“Establishing an adult entertainment business,” as used in this chapter, means and includes any of the following:

1. The opening or commencement of any such business as a new business;
2. The conversion of an existing business, whether or not an adult entertainment business, to any of the adult entertainment businesses defined in this chapter;
3. The addition of any of the adult entertainment businesses defined herein to any other existing adult entertainment business; or
4. The relocation of any such business.

“General bookstore” means an establishment engaged in the buying, selling and/or trading of new and/or used books, manuscripts, and periodicals of general interest. A general bookstore does not include an establishment that is encompassed by the definition of adult bookstore.

“General motion picture theater” means a building or part of a building intended to be used for the specific purposes of presenting entertainment as defined in this chapter, or displaying motion pictures, slides or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling where no fee, by way of an admission charge, is charged; provided, however, that any such presentations are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the plot or story line.

“Legitimate or live theater” means a theater, concert hall, auditorium or similar establishment which, for any fee or consideration, regularly features live performances which are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the primary purpose of the performance.

“Massage parlor” means an establishment where, for any form of consideration, massage, alcohol tub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a

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medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state of California. This definition does not include an athletic club, health club, pool, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

“Private viewing room” means an area separated from the sales or display area of the establishment by a curtain, wall, door, shade or similar obstruction thus allowing establishment by a curtain, wall, door, shade or similar obstruction thus allowing the private viewing of video tapes, movies, transparencies, films or projectable motion picture by customers at the establishments.

“Religious institution” means any church, synagogue, mosque, temple or building that is used primarily for religious worship and related religious activities.

“Sale and display of paraphernalia and literature commonly associated with the use of narcotics and controlled substances (headshops)” means an establishment or place where more than fifteen (15) percent of the floor area in any room is used for the sale and display of such paraphernalia and literature, including but not limited to cocaine, and sniffing kits, glass mirrors for cutting cocaine, snorting spoons and tubes, strainers to sift cocaine, water pipes (bongs), everyday items with special removable tops that have been converted to conceal narcotics and drugs, including beer cans, oil cans, and plastic photograph film vials, roach clips (for holding marijuana cigarettes), books, and magazines extolling the use of narcotics or controlled substances. Such a place is an adult entertainment establishment. This definition does not limit licensed pharmacies in selling and displaying paraphernalia, that is, medicinal equipment prescribed by licensed medical practitioners.

“School” means an institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the California Education Code of which is maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, junior high school, senior high school, or any special institution of learning under the jurisdiction of the State Department of Education, but it does not include a vocation or professional institution or an institution of higher education, including a community college.

“Sexual encounter establishment” means an establishment, other than a hotel, motel or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with specified sexual activities or the exposure of specified anatomical areas. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the state of California engages in sexual therapy.

For the purposes of this chapter, “sexual encounter center” shall include massage or rap parlor and other similar establishments.

“Specified anatomical areas” means and includes any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

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“Specified sexual activities” means and includes any of the following:

1. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts;
2. Sex acts, normal or perverted, actual or simulated; or
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in this subsection.

“Transfer of ownership or control,” as used in this chapter, means and includes any of the following:

1. The sale, lease or sublease of an adult entertainment business; or
2. The transfer of securities which constitute a controlling interest in such business, whether by sale, exchange or similar means; or
3. The establishment of a trust, gift or other similar legal device which transfers the ownership or control of such business, except for transfer by bequest or other operation of law upon the death of the person possessing such ownership or control.

“Video cassette sales and rentals—adult” means the same as “adult bookstore.”

“Video games—adult” means coin-operated electronic game machines having visual displays and animation that depict in any manner, any sort of activity characterized by exposure of specified anatomical areas or specified sexual activities.

17.62.030 Prohibitions.

A. No person or entity shall own, establish, operate, control or enlarge, or cause or permit the establishment, operation, enlargement or transfer of ownership or control, except pursuant to Section 17.62.060, of any of the following adult entertainment establishments unless such adult entertainment establishment is greater than five hundred (500) feet from another adult entertainment establishment or greater than one thousand (1,000) feet from any religious institution, school or park located within the city or greater than five hundred (500) feet from any residentially zoned property (including office residential) located in the city, measured from property lines:

1. Adult bookstore;
2. Adult motion picture theater;
3. Adult mini-motion picture arcade (peep shows);
4. Adult arcade;
5. Adult drive-in theater;
6. Adult cabaret;
7. Adult motel;
8. Adult theater;
9. Adult model studio;

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10. Body painting studio;
11. Massage parlor;
12. Adult video games;
13. Adult video cassette sales and rentals;
14. Sexual encounter establishment;
15. Headshop;
16. Any other business which involves specified sexual activities or display of specified anatomical areas.

B. An establishment listed in this section shall not be established, operated, enlarged or transferred unless the zone district in which the site or proposed site is located permits such a use. The conduct of such establishment and the use of premises shall otherwise comply with the city's land use code and all other applicable regulations.

C. All adult entertainment establishments as listed in subsection A of this section shall only be permitted within any CC, SC or RC zone district provided the minimum distance requirements as set forth in subsection A of this section are met and also upon the prior issuance of a conditional use permit.

17.62.040 Measure of distance.

The required minimum distance between any two adult entertainment businesses shall be measured in a straight line, without regard to intervening structures, from the closest property line of each such business. The distance between any adult entertainment business and any religious institution, school, public park or residentially zoned land shall be measured in a straight line, without regard to intervening structures, from the closest property line of the adult entertainment business to the closest property line of the religious institution, school, public park or residential zone.

17.62.050 Development and maintenance standards.

All adult entertainment premises hereafter commenced shall, in addition to compliance with this title, be made to comply with the following specific requirements:

- A. Signs. In addition to the requirements of Chapter 17.56, all sign permits shall be subject to the following regulations:
 1. Each adult business shall be allowed one permanent sign, the area of which shall not exceed one square foot for each linear foot of building frontage on which the sign is to be placed. In no case can the sign exceed fifty (50) square feet in area.
 2. Temporary signs of any kind are not permitted.
 3. Except for theater signs, changeable copy signs are not permitted.
 4. No sign shall depict or describe any specified anatomical areas or specified sexual activities.
- B. Exterior Painting. Buildings and structures shall be painted or surfaced with colors or textures that are similar to neighboring buildings or structures as determined by the community

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development department. Buildings and structures shall not be painted or surfaced with any design that would simulate a sign or advertising message.

C. Advertisements, displays of merchandise, signs or any other exhibit depicting adult entertainment activities placed within the interior of buildings or premises shall be arranged or screened to prevent public viewing from outside such buildings or premises.

D. No outdoor loudspeakers or other outdoor sound equipment advertising or directing attention to an adult entertainment use is allowed.

E. Upon order of the city manager, graffiti appearing on any exterior surface of a building or premises, which graffiti is within public view, shall be removed and that surface shall be restored within seventy-two (72) hours of notification to the owner or person in charge of the premises.

F. No consumption of alcohol shall be allowed in conjunction with, or on the premises of, any adult entertainment establishment as defined in this chapter.

17.62.060 Application.

Notwithstanding any other provision of this code to the contrary, the provisions of this chapter shall be applicable to all land within the city, including all redevelopment project areas now in existence or hereafter established.

17.62.070 Other regulations, permits or licenses.

The provisions of this chapter do not waive or modify any other provision of this municipal code.

17.62.080 Protection of minors.

The operation of adult entertainment establishments shall prohibit the admission of minors.

17.62.090 Private viewing rooms.

It is unlawful for any person or entity that is subject to the regulations of this chapter, and that sells or rents prerecorded video tapes, movies, transparencies, films, projectable motion pictures or equipment used for showing any or all of these items, to offer or allow the viewing of these materials in private viewing rooms, as defined in Section 17.62.020.

17.62.100 Regulations governing existing adult entertainment establishments.

An adult entertainment establishment hereinafter permitted and legally operating as a conforming use is not rendered a nonconforming use by the location of a religious institution, school or public park within one thousand (1,000) feet or a residential (including office residential) zone within five hundred (500) feet of the adult entertainment establishment. This provision does not apply after a permit has expired, been suspended or revoked.

Chapter 17.68

WIRELESS COMMUNICATION FACILITIES AND TOWERS

Sections:

- 17.68.010 Purpose and application.**
- 17.68.020 Definitions.**
- 17.68.030 Principle or accessory use.**
- 17.68.040 Measurement of setbacks.**
- 17.68.050 Effect on Nonconforming uses.**
- 17.68.060 General standards.**
- 17.68.070 Co-location of facilities.**
- 17.68.080 Exemptions.**
- 17.68.090 Permitted and conditional uses.**
- 17.68.100 Application process.**
- 17.68.110 Appeals.**
- 17.68.120 Review criteria.**
- 17.68.130 Federal and state regulations.**
- 17.68.140 Removal of abandoned antennas, towers, supporting equipment and structures.**

17.68.010 Purpose and application.

The purpose of this chapter is to promote and maintain the purposes and objectives of the city of Hanford zoning ordinance; to ensure the co-location of new and existing tower and antenna sites whenever possible; to ensure the location of towers and antennas are in areas where the adverse impact on the community is minimal; to ensure that towers and antennas are designed in a way that minimizes the adverse visual impact on the community; and to protect the public safety and general welfare of the community.

17.68.020 Definitions.

For the purposes of this chapter, unless otherwise defined, the following words and phrases when used in this chapter are defined as follows:

“Antenna” means a system of poles, panels, rods, reflecting discs of similar devices used for the transmission or reception of electromagnetic signals, including but not limited to, radio waves and microwaves.

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“Antenna, amateur radio” means a ground, building, or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service and as designated by the Federal Communications Commission (FCC).

“Antenna array” means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel) and parabolic antenna (disc). The antenna array does not include the support structure as defined below.

“Antenna, building mounted” means: an antenna that is mounted to a building or rooftop equipment screen, and that transmits or receives electromagnetic signals.

“Antenna, direct broadcast satellite service (DBS)” means an antenna that is typically a small home receiving dish designed to receive direct broadcast from a satellite.

“Antenna, multipoint distribution services (MDS)” means an antenna designed to receive video programming services via multipoint distribution services, including multipoint multichannel distribution services, instructional television fixed services, and local multipoint distribution services.

“Antenna structure” means an antenna array and its associated support structure, such as a mast or tower, (but not to include a suspended simple wire antenna) that is used for the purpose of transmitting and/or receiving electromagnetic signals, including but not limited to radio waves and microwaves.

“Antenna structure, freestanding” means an antenna structure or mast that is not attached to a building, fence or other structure. Freestanding antenna structures include, without limitation, communications towers, wooden utility poles, standard or decorative concrete and steel monopolies. If the total height of the structure, including the antenna, exceeds twenty (20) feet, it shall be treated as a monopole.

“Antenna structure, monopole” An antenna structure, often tubular in shape, made of metal, reinforced concrete, or wood which is at least twenty (20) feet in height.

“Attached wireless communication facility (attached WCF)” means an antenna array that is attached to an existing building or structure (attachment structure), which structures shall include, but not be limited to, utility poles, signs, water towers, with any accompanying pole or device (attachment device) which attaches the antenna array to the existing building or structure and associated connection cables, and an equipment facility which may be located either inside or outside of the attachment structure.

“Co-locate or co-location” means use of a common WCF or common site by two or more wireless license holders or by one wireless license holder for more than one type of communications technology and/or placement of a WCF on a structure owned or operated by a utility or other public entity.

“Equipment facility” means any structure used to contain ancillary equipment for a WCF which includes cabinets, shelters, a buildout of an existing structure, pedestals, and other similar structures.

“FAA” means the Federal Aviation Administration.

“FCC” means the Federal Communications Commission.

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“Height” means the distance measured from ground level to the highest point on the WCF, including the antenna array.

“Pre-existing towers and antennas” means any tower or antenna for which a permit has been properly issued prior to the effective date of the ordinance codified in this chapter.

“Provider” means a person, as defined in Section 1.04.130 of the Hanford Municipal Code, pursuant to the provisions of this chapter.

“Tower” means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. This definition includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like.

“Wireless communication facility (WCF)” Any unstaffed facility for the transmission and/or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, and equipment facility, and a support structure to achieve the necessary elevation.

17.68.030 Principle or accessory use.

A. Antennas and towers may be considered either principle or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

17.68.040 Measurement of setbacks.

For purposes of determining compliance with development standards in this title, including but not limited to setback requirements, lot coverage requirements, and other applicable requirements, the dimensions of the entire lot shall be considered, even though the antennas or towers may be located on leased areas within such lots.

17.68.050 Effect on Nonconforming uses.

Towers that are constructed, and antennas that are installed, in accordance with the provisions of this chapter shall not be deemed to constitute the expansion of a nonconforming use or structure.

17.68.060 General standards.

The following requirements and standards shall apply to the construction and installation of all new wireless communication facilities (WCF):

- A. All standards set forth in this chapter;
- B. Any applicable Federal, State and local laws, regulation and ordinances;
- C. All applicable provisions of the Hanford Municipal Code, Hanford Zoning Ordinance, public works improvements standards, and all applicable fees that are not in conflict with the provisions of this chapter;
- D. The Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, where applicable; and
- E. All FCC rules, regulations, and standards.

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17.68.070 Co-location of facilities.

- A. When technically and economically feasible, a new wireless communication facility (WCF) shall be attached to an existing structure (attached WCF), shall co-located with another WCF, or create sites that will accommodate future co-location of other WCFs in the future.
- B. Any site plan review application proposed in accordance with Chapter 17.72 proposing the construction of a new WCF with a supporting structure shall specifically identify the actions taken by the applicant to locate, construct and operate the new WCF at a co-location. If co-location is not feasible, the application shall specifically identify the locations considered and the reasons why such locations are unacceptable for the construction and operation of the new WCF.

17.68.080 Exemptions.

- A. The following wireless communications facilities (WCF) shall be exempt from the requirements of Section 17.68.090, and a building permit is not required.
1. Construction of an antenna under a permit issued by the California Public Utilities Commission (CPUC) or in accordance with the rules and regulations of the Federal Communications Commission (FCC.)
 2. Direct broadcast satellite (DBS) antennas, multipoint distribution services (MDS) antennas and television broadcast service (TVBS) antennas that are 1 meter (3 feet 3 3/8 inches) or less in diameter or in diagonal measurement, are located entirely on-site, and are not located within the front setback area of the lot on which they are located. This locational requirement is necessary to ensure that such antenna installations do not become attractive nuisances and/or result in safety hazards.
- B. The following wireless communications facilities (WCF) shall be exempt from the requirements of Section 17.68.090 of this chapter, however a building permit is required.
1. Satellite Earth Station (SES) antennas that are two meters (6 feet 6 3/4 inches) or less in diameter or in diagonal measurement, are located in a C-S, I-L, or I-H zone district, and are located on the top of buildings as far away as possible from the edges of rooftops so that they cannot be viewed from a public right-of-way.
 2. Amateur radio antenna structures that are twenty-four (24) inches or less in diameter or in diagonal measurement, and where no portion of the antenna overhangs any property line.
 3. Installation of buildings or other support equipment used with a previously approved WCF antenna/tower that meets all requirements of the zone district in which the building or other support equipment is to be located, and that does not result in an increase in size of the overall WCF site.

17.68.090 Permitted and conditional uses.

Wireless communications facilities that are not exempt per Section 17.68.080 shall be either permitted or conditional uses in accordance with this section. If this section appears to conflict with the table in Section 17.08.030 then this section shall apply.

- A. The following wireless communications facilities (WCF) shall be permitted uses. A site plan review permit issued in accordance with Chapter 17.72 and a building permit is required.

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1. Installation of a monopole on an existing structure, located in a PF zone district, or in any commercial, mixed use, or industrial zone district, where the height of the monopole is not higher than twenty (20) feet above the height of the existing structure.
 2. Installation of a concealed or disguised antenna located on the ground and/or attached to a building in the PF zone district, or any commercial, mixed use, office, or industrial zone district where the antenna does not exceed the maximum height limits of the zone district in which it is located.
 3. Modification to an existing, approved antenna/tower where the modification does not result in an increase in the height of the existing, approved antenna/tower and does not provide for more than three communication providers on a single antenna/tower.
 4. Installation of buildings or other support equipment used with a previously approved WCF antenna/tower that meets all requirements of the zone district in which the building or other support equipment is to be located, and that results in less than a 30 percent increase in size of the overall WCF site.
 5. Installation of a new free standing antenna/tower with no guy wires in the C-S, C-H, or PF zone districts that does not exceed fifty (50) feet in height, where the height of the WCF is less than the distance of the antenna/tower to the nearest lot line.
 5. Installation of a new free standing antenna/tower with no guy wires in the I-L or I-H zone districts that does not exceed seventy-five (75) feet in height.
- A. The following wireless communications facilities (WCF) shall obtain a conditional use permit prior to construction or installation in accordance with Chapter 17.80. A site plan review permit issued in accordance with Chapter 17.72 and a building permit is also required:
1. Installation of a new free standing antenna/tower with no guy wires in the C-R, MX-C, MX-D, O, PF, or AP zone districts that does not exceed seventy-five (75) feet in height. The Planning Commission may approve a WCF with a height higher than seventy-five (75) feet if the height of the WCF is less than twice the distance of the antenna/tower to the nearest lot line.
 2. Installation of a new free standing antenna/tower with no guy wires in the C-S or C-H, I-L, or I-H zone districts that does not exceed one hundred (100) feet in height. The Planning Commission may approve a WCF with a height higher than one hundred (100) feet if the height of the WCF is less than twice the distance of the antenna/tower to the nearest lot line.
 3. Modification to an existing, approved antenna/tower where the modification results in an increase in the height of the existing, approved antenna/tower or provides for more than three communication providers on a single antenna/tower.
- C. Wireless Communication Facilities that are not exempt per Section 17.62.060 are prohibited in any residential zone district and in the C-N, MX-N, OR, and C zone districts.
- D. Notwithstanding other provisions of this section, a WCF shall obtain a conditional use permit prior to construction or installation in accordance with Chapter 17.80 if it is located in the Airport Overlay District, and shall meet all requirements of Chapter 17.44.

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17.68.100 Application process.

Review of any application for construction, installation and operation of a WCF identified in Section 17.68.090 as requiring a permit shall comply with the following provisions in addition to the applicable provisions of Chapter 17.72 and 17.80:

- A. Each applicant shall submit a site plan and elevation view drawn to scale and other supporting drawings, calculations, and documents, signed by appropriate licensed professionals, showing the location and dimension of all improvements, including information concerning topography, radio frequency coverage, tower height, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed by the Community Development Director to be necessary to determine compliance with the provisions of this chapter.
- B. Each applicant shall provide the Community Development Director an inventory of its existing towers and those towers it intends to construct within ten (10) years of the date of its application that are located or will be located within the city limits or within one-quarter mile thereof. The Community Development Director may share information with other applicants applying for permits to construct antennas/towers for the purpose of encouraging co-location, provided however, that the Community Development Director is not, by sharing such information, in any way representing or warranting that such sites are available or suitable for co-location.
- C. The information requested in this Subsection B of this section shall not be made available to the general public except as may be required by Federal, State or local law, ordinances or rules and regulations related thereto.
- D. The Community Development Director may retain a consultant at the applicant's expense to review the application and make determinations and recommendations on issues including, but not limited to:
 - 1. Compliance with radio frequency emission standards;
 - 2. Possible granting of exceptions to the development standards in this chapter;
 - 3. The identification of alternative solutions when the Community Development Director believes that the proposed facilities may create a significant impact to the surrounding area; or
 - 4. Proposals for the installation of new towers or antennas.

17.68.110 Appeals.

An appeal of the decision of the Community Development Director or of the Planning Commission on a WCF application shall be processed in accordance with the appeal provisions of Chapter 17.70.

17.68.120 Review criteria.

Every application must comply with the following development standards:

- A. Radio Frequency. The applicant must submit documentation demonstrating that use of the WCF will not result in levels of radio frequency emissions which will exceed Federal Communication Commission (FCC) standards. Such documentation shall not be required for amateur radio antenna structures or for antennas installed for home entertainment purposes.

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B. Structural Integrity. WCF with support structures must be constructed to Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard titled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures" (or equivalent), as it may be updated or amended. Antenna/towers supported by guy wires are prohibited within the city.

C. Lighting. WCF shall not be artificially lighted, except for:

1. Security and safety lighting of equipment buildings if such lighting is appropriately shielded to keep light within the boundaries of the site; and
2. Lighting of the tower or antenna may be required by the Federal Aviation Administration or other applicable authority. Said lighting is to be installed in a manner to minimize impacts on adjacent properties.

D. Security. WCF with tower/antenna structures shall be enclosed by a security fence not less than six (6) feet in height and the structure shall be equipped with an appropriate anti-climbing device.

E. Noise. A description of all audible noise generating equipment, including the times and decibel levels of the noise which will be produced shall be submitted with the application for the project. No equipment shall be operated at a WCF which produces noise in excess of the applicable noise standards stated in the Hanford General Plan. In emergency situations requiring the use of a backup generator, the noise standards may be exceeded on a temporary basis as determined by the community development department.

F. Landscaping. The following requirements shall govern the landscaping surrounding WCF sites:

1. The site shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent property. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound's fence. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether in the discretion of the Community Development Director and where applicable, the Planning Commission.
2. Existing mature tree growth and natural land forms on the site shall be preserved to the extent feasible, as determined by the Community Development Director; provided, however, vegetation causing interference with the antennas or inhibits access to the equipment facility may be trimmed.

G. Painting. All equipment, antennas, poles or towers shall have a non-reflective finish and shall be painted or otherwise treated to minimize visual impacts. Antennas which will be viewed primarily against the skyline shall be painted light gray or light blue or other sky blending color. WCF with tower antenna structures shall be designed and painted to blend in with existing surroundings to the extent feasible as determined by the community development department, including the use of compatible colors. Equipment facilities shall, to the extent practicable, use materials, colors and textures that will blend with the natural setting and existing building environment.

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H. Visual Aesthetics. To minimize overall visual impact, new wireless communication facilities shall be co-located with existing facilities and with other planned new facilities whenever possible. In addition, service providers shall co-locate antennas with other facilities such as water tanks, light standards, and other utility structures where the co-location is found to minimize the overall visual impact. Conditions of approval shall require all applicants to cooperate in the placement of equipment and antennas to accommodate the maximum number of providers at a single site and require an applicant to allow for future co-location of additional antennas at its site. Antenna/towers with guy wires are prohibited. Cables leading from the antenna to the ground base equipment be neatly bundled and securely fastened to the antenna/tower and be underground from the antenna/tower to the equipment room.

17.68.130 Federal and state regulations.

A. All towers/antenna structures must meet or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), the California Public Utilities Commission (CPUC) and any other agency of the federal or state government with the authority to regulate towers and antennas.

B. If said standards and regulations are modified or amended and require pre-existing WCFs to comply with the new or amended standards or regulations, the owners and operators of the towers and antennas shall bring their towers and antennas into compliance with the revised standards and regulations within six (6) months of the effective date of the new standards and regulations, unless the new standards or regulations or the applicable federal or state agency identify a different and specific compliance period, in which case the owners and operators of the towers and antennas shall bring their towers and antennas into compliance within that specific compliance period.

C. Failure to bring towers and antennas into compliance with the revised standards and regulations shall constitute a violation of this chapter and the city may require removal of the tower or antenna at the owner's expense.

17.68.140 Removal of abandoned antennas, towers, supporting equipment and structures.

A. Any antenna, tower, supporting equipment and structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna tower, or owner of the land which it is located on shall remove said antenna, tower or supporting equipment within ninety (90) days of receipt of notice from the Community Development Director notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the community development department may remove such antenna or tower at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

B. If the cost of removal of the antenna or tower are not paid within thirty (30) days after the date on which the notice of request for payment is mailed to the owner of the property, the City Council may direct the county auditor to place the unpaid costs, including administrative fees associated with the removal on the county tax roll, as a special assessment against the property pursuant to Section 25845 of the Government Code of the State of California. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of

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delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such special assessment.

Chapter 17.70

PERMITS AND APPLICATIONS

Sections:

- 17.70.010** Permit application and review.
- 17.70.020** Application form and submittal items.
- 17.70.030** Authority to file an application.
- 17.70.040** Application acceptability of signatures.
- 17.70.050** Application filing and numbering.
- 17.70.060** Application withdrawal.
- 17.70.070** Decision processes for planning applications.
- 17.70.080** Environmental review.
- 17.70.090** Hearings.
- 17.70.100** Notice requirements.
- 17.70.110** Notice wording.
- 17.70.120** Hearing rules and procedures.
- 17.70.130** Continuation of hearing.
- 17.70.140** Testimony at hearing.
- 17.70.150** Planning Commission recommendation.
- 17.70.160** Review authority decision.
- 17.70.170** Notice of decision.
- 17.70.180** Effective date of decision.
- 17.70.190** Refiling of a denied application.
- 17.70.200** Appeals.
- 17.70.210** Permits to run with the land.
- 17.70.220** Subsequent permits.
- 17.70.230** Suspension and revocation of approved permit.
- 17.70.240** Expiration of approved permit.
- 17.70.250** Extension of expiration date of approved permit.
- 17.70.260** Succession to a county permit upon annexation.
- 17.70.270** Minor adjustment to approved permit.
- 17.70.280** Amendment to approved permit.

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17.70.010 Permit application and review.

An application for a permit or other land use matter required by this title shall be filed, processed, heard, and either approved, denied, or approved with conditions in accordance with the provisions of this chapter and the specific chapter within this title related to processing of that permit.

17.70.020 Application form and submittal items.

A. The Community Development Director shall prescribe and make available the form in which applications are made for a permit or other land use matter and maintain a list specifying the materials, information, and fees to be submitted with each application for a permit or other land use matter filed in accordance with this title. The list may be revised from time to time to comply with revisions to local, State, or Federal law, regulation, or policy. An application shall be made in the form prescribed by the Community Development Director on the date the application is filed, unless otherwise specified by this title or State law.

B. All filing fees required to be paid upon the filing of any application shall be set forth from time to time by City Council resolution.

17.70.030 Authority to file an application.

The following persons shall have the authority to file an application:

- A. The record owner of the real property that is the subject of the permit or other matter;
- B. The property owner's authorized agent;
- C. Any person who can demonstrate a legal right, interest, or entitlement to use the real property subject to the application.

17.70.040 Applications acceptability of signatures.

If signatures of persons other than the owners of the property making the application are required or offered in support of, or in opposition to, an application, they may be received as evidence of notice having been served upon them of the pending application, or as evidence of their opinion on the pending issue, but they shall in no case infringe upon the free exercise of the powers vested in the City as represented by the Planning Commission and the City Council.

17.70.050 Application filing and numbering.

Applications filed pursuant to this title shall be numbered consecutively in the order of their filing, and shall become a part of the permanent official records, and there shall be attached thereto and permanently filed copies of all notices and actions, with certificates and affidavits of applicable posting, mailing or publication.

17.70.060 Application withdrawal.

Any person authorized to file an application may withdraw an application that has been filed at any time, provided the withdrawal is in writing and notification of public hearing has not been mailed. Any public hearing for which notification has been given shall be convened, and the application may be withdrawn at the hearing.

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17.70.070 Decision processes for planning applications.

A. Applications for permits or other land use matters identified in this title shall be acted upon in accordance with one of the decision processes depicted in Table 17.70.070 (Role of Review Authority Planning Permit Applications.) Table 17.70.070 determines the role of each review authority in the decision-making process, and shall not describe or limit the scope, meaning, or intent of any other provisions of this title. Table 17.70.070 only describes the processes that may be required this title, and does not describe other decision processes that may be required by other agencies. Subdivision processes and procedures are identified in Title 16.

Table 17.70.070

Role of Review Authority Planning Permit Applications			
Application Type	Community Development Director	Planning Commission	City Council
Non-Discretionary Applications			
Interpretation of Ordinance	Decision	Appeal	Appeal
Sign Permit	Decision	Appeal	Appeal
Administrative Use Permit	Decision	Appeal	Appeal
Site Plan Review Permit	Decision	Appeal	Appeal
Home Occupation Permit	Decision	Appeal	Appeal
Deviation	Decision	Appeal	Appeal
Discretionary Applications			
Conditional Use Permit	Recommend	Decision	Appeal
Planned Unit Development Permit	Recommend	Decision	Appeal
Variance	Recommend	Decision	Appeal
Zoning Ordinance Amendment / Zone Change	Recommend	Recommend	Decision
General Plan Amendment / Specific Plan Amendment	Recommend	Recommend	Decision

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B. All applications heard by the Planning Commission or City Council according to Table 17.70.070 shall be at public hearings in accordance with Chapter 17.70.090. The City Council shall be the final decision making body on all permits.

17.70.080 Environmental review.

All discretionary applications will be reviewed by the Community Development Department to determine if the project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines, as currently adopted and amended from time to time. All non-discretionary applications are deemed to not be subject to environmental review, pursuant to CEQA Guidelines Section 15268.

17.70.090 Hearings.

A public hearing is a noticed session before the Planning Commission, City Council or other approval body, as appropriate, to receive original evidence or testimony from the applicant and the general public on applications regulated by this title.

17.70.100 Notice requirements.

Notice of time and place of public hearings shall be given in the following manner. Noticing may take place earlier than required if other laws or policies require a longer notice period.

A. A notice of any public hearing shall be given by at least one publication in a newspaper of general circulation in the city not less than 10 days before the date of the public hearing.

B. A notice of public hearing shall be given by mailing a written notice not less than 10 days prior to the date of such hearing to the applicant, and to owners of property within a radius of three hundred (300) feet of the exterior boundaries of the property that is the subject of the application, using for this purpose the name and address of such owners and properties, as shown on the latest adopted Kings County tax roll. Notice shall also be mailed to interested persons that have filed a written request for notification with the Community Development Director.

C. In the event that the number of owners of property to whom notice may be sent pursuant to Subsection B of this section would result in more than one thousand (1,000) notices, notice may alternatively be given at least ten (10) days prior to the hearing by either of the following procedures:

1. By placing a display advertisement of at least one-fourth page in a newspaper having general circulation within the area affected by the proposed ordinance or amendment; or
2. By placing a written notice with any generalized mailing sent by the City to property owners in the area affected by the proposed ordinance or amendment, such as billings for City services.

17.70.110 Notice wording.

Public notice of hearings shall begin with the words similar to "Notice of Proposed Change of Zone District" or "Notice of Proposed Variance" or "Notice of Proposed Conditional Use Permit," as the case may be, and set forth the description of the property under consideration, the nature of the proposed change or use, identification of the hearing body, and the time and place at which the public hearing on the matter will be held.

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17.70.120 Hearing rules and procedures.

Each review authority may establish rules or policies governing the conduct of hearing proceedings.

17.70.130 Continuation of hearing.

If, for any reason, a public hearing cannot be completed on the date set for such hearing, the person presiding at such public hearing may, before adjournment or recess thereof, publicly announce the time and place at which the hearing will be continued, and no further notice shall be required.

17.70.140 Testimony at hearing.

A summary of all pertinent testimony offered at public hearings held in connection with an application filed pursuant to this title and the names of persons testifying shall be recorded and made a part of the permanent files of the application.

17.70.150 Planning Commission recommendation.

For applications requiring a final decision by the City Council, the Planning Commission shall first hold a public hearing on the matter. For such hearing, the Planning Commission shall, by resolution, recommend to the City Council approval or denial of the request, including the findings for the recommendation. Upon receipt of the recommendation from the Planning Commission, the City Council shall hold a public hearing after noticing is completed.

17.70.160 Review authority decision.

The review authority responsible for making a final determination for any application, as identified by Table 17.70.070, shall announce its findings by formal resolution, or in the case of a change to the text of this title or to the Zoning Map, by ordinance. Specific plans may be adopted by resolution or by ordinance. Site Plan Review Permits may be approved by letter. The resolution shall recite, among other things, the facts and reasons which, in the opinion of the hearing body, make the approval or denial of the permit necessary to carry out the provisions and general purpose of this title, and shall order that the permit or other action be approved, denied, or approved subject to conditions that it may impose.

17.70.170 Notice of decision.

Not later than ten days following the adoption of a resolution or other applicable document ordering that a permit or other action be approved or denied, a copy of said resolution or other applicable document shall be mailed to the applicant and to any other parties requesting notice of the action. The resolution or other applicable document shall also be filed and maintained as public record by the Community Development Director.

17.70.180 Effective date of decision.

A. The decision of the review authority identified in Table 17.70.070 for any permit or other decision shall be effective and final ten (10) days following the adoption of the resolution, unless, within such period of time, the applicant or other interested party files a written appeal of the decision.

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17.70.190 Refiling of a denied application.

Where an application has been denied by a review authority and that action has become final, no new application for substantially the same request shall be accepted for filing for a period of one (1) year after the effective date of the denial, unless that review authority specifies in its decision that the denial is made without prejudice.

17.70.200 Appeals.

A. A decision of the Community Development Director may be appealed to the Planning Commission by any interested person within ten (10) days following the decision of the Community Development Director. Any decision of the Planning Commission, including a decision on an appeal, may be appealed to the City Council by any interested person within ten (10) days following the decision of the Planning Commission.

B. Appeals to the Planning Commission or to the City Council shall be conducted as a public hearing in accordance with the public hearing noticing and hearing procedures in this chapter.

C. An decision on an application that has been appealed may be upheld, overturned, or modified. The appeal decision shall be adopted by resolution or other applicable document.

17.70.210 Permits to run with the land.

Subject to the other provisions of this chapter, a permit that is effective and final pursuant to this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of the permit.

17.70.220 Subsequent permits.

Before any building, grading, encroachment or other development permit is issued for any building, excavation or other structures proposed as a part of an approved permit, the Community Development Director shall determine that the proposed building location, facilities and improvements are in substantial conformance with the approved permit and any conditions of approval.

17.70.230 Suspension and revocation of approved permit.

A. Upon the violation of any applicable provision of this title, the provisions of any use permit or upon the failure to comply with or satisfy any condition of approval related thereto, the permit or approval issued pursuant to this chapter shall be automatically suspended. Written notice of the suspension shall be sent by the Community Development Director to the person to whom the use permit was issued, or to their successor if known, advising them of the suspension and the violations causing the suspension.

B. No building, grading, encroachment or other development permit shall be issued for any building, excavation, or other structures proposed as a part of a permit that has been suspended. For any construction activity taking place on the site that is the subject of the suspended permit, the Building Official shall issue a Stop Work order.

C. The City Council shall hold a public hearing and hear evidence from city staff, the holder of the permit and other interested persons. Should the City Council find that there has been a violation of this title, the provisions of the permit, or a failure to comply with or satisfy any condition of approval related thereto, the City Council may either revoke the permit or take such

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other action as the City Council deems necessary to ensure compliance with the provisions of this title, the permit, and the related conditions of approval.

17.70.240 Expiration of approved permit.

A. An approved permit shall expire and shall become null and void two (2) years after the date of approval unless, prior to expiration, one of the following occurs:

1. A building permit is issued by the building official, and construction is commenced and diligently pursued toward completion on the property that was the subject of the approved permit.

2. The use for which the permit was approved has commenced

B. If a use for which a permit was approved has commenced and then is later abandoned for a continuous period of one (1) year, the permit shall expire and become null and void.

17.70.250 Extension of expiration date of approved permit.

Prior to expiration of a permit, a person having authority to file an application may file a written request with the Community Development Director for extension of a permit that may otherwise expire. The request for extension shall be taken to the Planning Commission, who may extend the expiration date of the permit by one (1) year. The Planning Commission may grant up to a total of three (3) one-year extensions.

17.70.260 Succession to a county permit upon annexation.

A. If a parcel of real property is considered for annexation to the city is subject to a permit previously approved pursuant to the provisions of the Kings County Zoning Ordinance and the use has commenced on the date that the City Council initiates annexation, then the city shall succeed to the permit and shall administer and enforce the permit in accordance with the provision of this chapter.

B. If a parcel of real property is considered for annexation that is subject to a permit previously approved pursuant to the provisions of the Kings County Zoning Ordinance and the use has not yet commenced on the date that the City Council initiates annexation, then the city shall declare in its resolution of annexation initiation whether it will or will not succeed to the permit. If the city declares that it will not succeed to a permit, then the permit shall be deemed null and void on the effective date of annexation.

17.70.270 Minor adjustment to approved permit.

A. Upon written request by a person having authority to file an application, a permit approved in accordance with this chapter that has not expired may be adjusted by the Community Development Director provided that the Community Development Director determines that the adjustment is minor, does not contradict the intent of the review authority's approval, does not increase the approved use's impact on adjacent properties, does not increase the intensity or character of the use that was approved, and is consistent with the General Plan.

B. If the Community Development Director determines that the findings in Subsection A of this section required to approve a minor adjustment cannot be met, then the applicant may apply for an amendment to the permit.

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17.17.280 Amendment to approved permit.

A person having authority to file an application may apply for an amendment to an approved permit that has not expired. The amendment application shall be processed with the same procedures as if the application was for a new permit.

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Chapter 17.72

SITE PLAN REVIEW PERMITS

Sections:

- 17.72.010 Purpose.**
- 17.72.020 Applicability.**
- 17.72.030 Site plan review committee.**
- 17.72.040 Site plan contents.**
- 17.72.050 Site plan review committee issuance.**
- 17.72.060 Appeals.**
- 17.72.070 Life of permits and extensions of time.**
- 17.72.080 Revocation.**
- 17.72.090 Subsequent permits.**

17.72.010 Purpose.

The purpose of the site plan review permit is to assure that developments, new and remodeled buildings and structure, and improvements to land are reviewed to assure substantial compliance with the general plan, municipal code, policies, and improvement standards of the city.

17.72.020 Applicability.

A. The provisions of this chapter apply to:

1. Any development requiring a site plan review permit as per this Title.
2. New commercial, industrial and other non-residential structures or additions that add more than 100 square feet of useable floor space to the structure.
3. New multi-family residential development or additions that add more than 100 square feet of useable floor space to the structure.
4. Divisions of land or adjustments to property lines.
5. Interior alterations that increase the useable floor area of a non-residential structure by more than 100 square feet, or change the use of the structure.
6. Improvements made in the public right-of-way, except those initiated by the city, State, or a utility company.
7. Other non-residential improvements to land or buildings deemed by the city planner to be subject to certain goals, policies, codes, regulations or improvement standards of the city.

B. The provisions of this chapter do not apply to:

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1. New or remodeled single-family dwellings;
 2. Repairs and maintenance to the site or a structure that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that are substantially similar in design as the original construction;
 3. Interior alterations that do not increase the useable floor area of the structure, or modify the use of the structure;
 4. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities.
- C. The total combined use area of the site of the proposed development shall be subject to site plan review permit procedures and all applicable goals, policies, codes, regulations, and improvement standards of the city.

17.72.030 Site plan review committee.

- A. Members. The Site Plan Review Committee shall be comprised of staff representatives of the Community Development Director, City Engineer, and Building Official; in addition, the Community Development Director may request input from any other city department or public agency, subject to City Council policies.
- B. Powers and Duties. The Site Plan Review Committee shall have the power to:
1. Review site plan review permit applications for consistency with the General Plan, municipal code, policies, regulations, and improvement standards of the city.
 2. Apply requirements to a site to protect the public health, safety and general welfare.
 3. Require revisions to the site plan to bring it into consistency.
 4. Identify the city permits necessary to construct the proposed project.
 5. Issue the site plan review permit subject to stated revisions.
 6. Require that the site plan be resubmitted with required revisions. and approve, conditionally approve or deny a planned development permit which is requested by an applicant for a development which, by ordinance, requires a planned development permit in accordance to appropriate city codes and ordinances.

17.74.040 Site plan contents.

- A. The site plan shall be drawn to a scale which that clearly indicates all dimensions and includes the following information, as well as information identified in the site plan review application form:
1. Address;
 2. Assessor's parcel number;
 3. Vicinity map on cover sheet;
 4. Scale and north arrow;
 5. Dimensions of property;

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6. Location of existing and proposed buildings and/or structures showing dimensions from property lines and their intended use;
 7. Location, height and material of existing and/or proposed fences and walls;
 8. Location of off-street parking. Indicate the number of parking spaces, type of paving, direction arrows and parking dimensions;
 9. Location and width of drive approaches;
 10. Location and direction of on-site drainage;
 11. Location of existing and/or proposed public improvements (such as curbs, gutters, sidewalks, utility poles, fire hydrants, street lights, traffic signal devices, etc.);
 12. Method of sanitary disposal;
 13. Location of signs, their size, height, type of illumination and type of building material;
 14. Location of trash refuse area;
 15. Location and type of existing trees. Oak trees must have the approximate diameter size;
 16. Location of areas to be landscaped;
 17. Loading and storage areas indicating any fences and walls to be used as screening;
 18. Location and height of all roof mounted structures;
 19. Lighting, including the location and height of all exterior fixtures;
 20. Such other data as may be required to permit the Site Plan Review Committee to make the required findings.
- B. The Site Plan Review Committee may require additional information on the site plan or as a separate document based upon the proposed development.

17.72.050 Site plan review committee issuance.

- A. The Site Plan Review Committee shall declare their intention to either issue the site plan review permit or require resubmittal of the site plan at the Site Plan Review Committee meeting.
- B. The Site Plan Review Committee shall, in writing to the applicant, either approve the Site Plan Review Permit with required revisions, or require resubmittal of the site and identify required revisions, conditionally approve, or disapprove the proposed site plan.

17.72.060 Appeals.

Appeals to a decision of the reviewing authority of a conditional use permit shall be submitted and processed consistent with the procedures in Chapter 17.70.

17.72.070 Life of permits and extensions of time.

A site plan review permit shall expire one (1) year from its approval date, unless a building permit application has been submitted or the use has commenced.

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17.72.080 Revocation.

Revocation of a site plan review permit shall be conducted consistent with procedures and notice requirements in Chapter 17.70.

17.72.090 Subsequent permits.

Subsequent development permits associated with the site plan review permit shall be consistent with the site plan review permit. If there is a change in the proposed development, a new site plan application shall be submitted.

Chapter 17.74

ADMINISTRATIVE USE PERMITS

Sections:

- 17.74.010 Purpose.**
- 17.74.020 Applicability.**
- 17.74.030 Application procedure.**
- 17.74.040 Findings.**
- 17.74.050 Notices of decision.**
- 17.74.060 Appeals.**
- 17.74.070 Life of permits and extensions of time.**
- 17.74.080 Revocation.**
- 17.74.090 Subsequent permits.**

17.74.010 Purpose.

The purpose of requiring the administrative approval of certain uses is to determine whether or not a particular use meets the standards set forth in this title that are specific to that use, with the intent that uses that meets all of the standards will be approved.

17.74.020 Applicability.

This chapter shall apply to all uses listed as permitted uses subject to administrative approval.

17.74.030 Application procedure.

Applications for an administrative use permit shall be filed pursuant to Chapter 17.70 with the Community Development Director and processed consistent with Chapter 17.70.060 and, if applicable, Chapter 17.70.070.

17.74.040 Findings.

In order for an application to receive administrative approval, the following findings must be made by the reviewing authority listed identified in Chapter 17.70.060:

- A. The use meets the standards and requirements in this title that are specific to that use;
- B. The use would be compatible with existing land uses and future permitted land uses within the zoning district in which the proposed use is to be located;
- C. The use is consistent with the General Plan;

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D. The proposed location, size, design and operating characteristics of the use would not be detrimental to the public interests, health, safety, convenience or welfare of the city and that any incompatible impacts of the proposed use are mitigated by conditions of approval.

17.74.050 Notices of decision.

Notices of decision of an administrative use permit shall be processed consistent with Chapter 17.70.040(J). In addition to Chapter 17.70.40(J), a copy of the written decision shall be signed and dated by the Community Development Director and mailed to each property owner within three hundred (300) feet of the subject property.

17.74.060 Appeals.

Appeals to a decision of the reviewing authority of an administrative use permit shall be submitted and processed consistent with the procedures in Chapter 17.70.

17.74.070 Life of permits and extensions of time.

An administrative use permit shall expire one (1) year from its approval date, unless a building permit application has been submitted or the use has commenced.

17.74.080 Revocation.

Revocation of an administrative use permit shall be conducted consistent with procedures and notice requirements in Chapter 17.70.

17.74.090 Subsequent Permits.

Subsequent development permits associated with the administrative use permit shall be consistent with the site plan review permit. If there is a change in the proposed development, a new site plan application shall be submitted.

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Chapter 17.76

TEMPORARY USE PERMITS

Sections:

17.76.010	Purpose.
17.76.020	Temporary uses exempt from permit requirements.
17.76.030	Temporary use permit required.
17.76.040	Development standards.
17.76.050	Temporary improvements on a site.
17.76.060	Findings.
17.76.070	Conditions.

17.76.010 Purpose.

A temporary use permit provides a mechanism for administrative review and determination for proposed and qualifying short term uses and activities to ensure that such activities are consistent with the general plan and the provisions of this title.

17.76.020 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:

- A. Car washes of a temporary nature (e.g., school fundraisers).
- B. 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.
- C. Emergency public health and safety facilities established by a public agency.
- D. 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.
- E. Entertainment and assembly events as part of an allowed permanent use (e.g., race at a raceway).
- F. Events held exclusively on city property and that are in conjunction with the city use.
- G. Events held exclusively at a school site that are in conjunction with the school use.
- H. Events held exclusively on religious institution or facility site and that are in conjunction with that religious institution or facility use.

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- I. Garage and yard sales held on private property.
- J. 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.
- K. Storage containers not in conjunction with an approved construction project when located on in a residential zone district for periods less than seventy-two (72) hours when located in nonresidential zone district for periods less than forty-five (45) days.

17.76.030 Temporary use permit required.

The following temporary activities and uses may be allowed, subject to the issuance of a temporary use permit prior in accordance with this chapter and Chapter 17.70:

- A. Any use listed in Table 17.08.020 or Table 17.08.030 that is identified as a temporary use.
- B. 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.
- C. 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).
- D. Farmers markets.
- E. Temporary sales, including swap meets, flea markets, rummage sales, and similar events in locations not specifically designed for such events.
- F. Seasonal sales occurring outdoors when not related to an existing business.
- G. Temporary sales offices.
- H. Temporary land uses on unimproved or partially improved sites in a zoning district that allows that land use on a permanent basis.
- I. Temporary community food banks.
- J. Other temporary activities that the Community Development Director determines are similar in nature and intensity to those identified above.

17.76.040 Development standards.

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 Community Development Director may waive requirements for long term improvements that exceed the duration of the temporary use, including, but not limited to, landscaping and paving of parking lots.

17.76.050 Temporary improvements on a site.

- A. Improvement to property at a level less than what is required by this title may be allowed to support temporary operations on the property yet still ensure public health, safety, and general

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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.

B. The allowance described in Subsection A shall be conducted through the temporary use permit process. The permit shall clearly identify what improvements are to be completed and what requirements are being waived for a limited period of time, as well as the time period for which the permit is valid. A temporary use permit allowing improvements less than required shall only be approved if the improvements to be completed are those minimally necessary to ensure public health, safety, and welfare

C. At the conclusion of the period authorized by the temporary use permit, either the property shall be brought into compliance with the requirements of this title or use of the property shall cease.

17.76.060 Findings.

The reviewing authority shall make all of the following findings to approve or conditionally approve a temporary use permit:

1. The use is a temporary use and will be limited to the specific duration of time that is identified in the temporary use permit.
2. The temporary use will not be detrimental to the health, safety, or general welfare of persons, property, or improvements in the vicinity of the proposed use, or to the general welfare of the city.
3. The temporary use will not function or be located in a manner that restricts access to required parking areas.
4. Approved measures for the removal of the use and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this title.
5. The approval includes provisions to ensure that each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the use.
6. The use is consistent with the general plan, applicable specific plans, and the provisions of this title.

17.76.070 Conditions.

The Community Development Director may place conditions on the temporary use permit, including, but not limited to, buffers, hours of operation, maintenance, lighting, improvements, parking, performance guarantees, property maintenance, signs, surfacing, time limits, and traffic circulation. Conditions must be deemed reasonable and necessary to protect the health, safety, or general welfare.

Chapter 17.78

HOME OCCUPATION PERMITS

Sections:

- 17.78.010 Purpose.**
- 17.78.020 Permit required.**
- 17.78.030 Application.**
- 17.78.040 Prohibited home occupation uses.**
- 17.78.050 Operating standards.**
- 17.78.060 Life of permits and extensions of time.**
- 17.78.070 No transferability.**
- 17.78.080 Revocation.**

17.78.010 Purpose.

The provisions of this chapter provide for the conduct of home occupations that are incidental to and compatible with surrounding residential uses. A home occupation represents a legal income producing activity by the occupant of the dwelling.

17.78.020 Permit required.

Home occupations shall not commence without first obtaining a home occupation permit, except as provided below:

- A. A home occupation permit shall not be required for an in-home educational activity, including but not limited to music lessons, academic tutoring, swimming lessons, or religious instruction, provided that no more than five students are present at any one time, and the activity complies with all of the operating standards in Section 17.78.040.
- B. A home occupation permit shall not be required a business using the owner(s) or any partner(s) home as its business address provided when all of the following apply:
 1. There is no signage identifying the business at the home address;
 2. There are no building materials stored at the home address;
 3. No manufacturing takes place at the home address; and
 4. In the course of doing business, no employees or customers appear at the home address for any purpose related to the business.

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17.78.030 Application.

Applications for a home occupation permit shall be filed and processed pursuant to the applicable sections of Chapter 17.70.

17.78.040 Prohibited home occupation uses.

A. The following uses are, without limitation, example of land uses that are not incidental to nor compatible with residential activities in residential zones, and are prohibited as home occupations:

1. Barbershop, hair salon, nail care, massage therapy, or day spa
2. Fortune telling
3. Kennel or animal boarding
4. Laboratory, general or medical
5. Mini-warehouse or self-storage facility
6. Motor vehicle repair or service, minor or major
7. Office; medical, dental, or optometry
8. Pet grooming
9. Repair shop, large appliance or equipment
10. Specialty construction or trade service where construction activities take place at the site
11. Tattooing or body art
12. Any other use determined by the Community Development Director to be not incidental nor compatible with residential activities.

B. A home occupation permit may be denied if the Community Development Director finds that land use proposed for a home occupation is listed in this section, or that the land use is not incidental nor compatible with residential activities.

17.78.050 Operating standards.

A. A home occupation shall comply with all of the following operating standards:

1. A home occupation shall not alter the appearance of the dwelling unit as seen from any public right-of-way.
2. There shall be no displays on the premises.
3. There shall be no signs other than those allowed by Chapter 17.56.
4. There shall be no advertising in any publication, on the internet, or otherwise, that identifies the home occupation by street address.
5. The home occupation shall be confined to one room located within the dwelling. A portion of a garage or carport may be used for home occupation purposes if it does not prevent the garage or carport from being used for parking of vehicles. Horticulture activities may be conducted outdoors within the rear of the lot only.

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6. Only one vehicle no larger than a three-quarter ton truck may be used by the occupant directly or indirectly in connection with a home occupation.
7. The home occupation shall not encroach into any required parking, setback or open space areas.
8. There shall be no use of mechanical equipment not recognized as being part of a normal household or hobby use.
9. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.
10. Utility consumption shall not exceed normal residential usage.
11. The home occupation shall not create or cause noise, dust, light, vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare or electrical interference or other hazards or nuisances.
12. Only the occupants of the dwelling may be engaged in the home occupation, except as specifically modified by other sections of this title.
13. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises at a frequency of more than one delivery per week of a package or packages weighing less than one hundred (100) pounds.
14. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the land use district in which it is located.
15. No home occupation shall commence until a current business license is obtained, pursuant to this title.
16. No more than one (1) home occupation shall be located within a dwelling unit at one time.
17. If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal for a home occupation permit.
18. No space shall be rented out to others in association with a home occupation.
19. A home occupation that is a cottage food operation shall meet the requirements of Section 17.60.050.
- B. The Community Development Director may require additional operating standards when approving the home occupation permit if deemed necessary to carry out the intent of this title.
- C. A home occupation permit may be denied if the Community Development Director finds that there is a failure or inability to meet one or more of the operating standards of this section.

17.78.060 Life of permits and extensions of time.

The initial life and subsequent extensions of time for Home Occupation Permits are stated in Sections 17.70.240 and 17.70.250.

17.78.070 No transferability.

- A. Notwithstanding Section 17.70.210, if property ownership changes on property subject to a valid home occupation permit, the home occupation permit shall not be transferable to a new property owner.

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B. If the holder of a valid home occupation permit relocates to another site, the home occupation shall not transfer to the new site. A new home occupation permit shall be approved before the use may continue at the new site.

17.78.080 Revocation.

A home occupation permit may be revoked or modified in accordance with Section 17.70.230 if any one of the following findings are made:

- A. The home occupation has become detrimental to the public health, safety or traffic, or constitutes a nuisance;
- B. The home occupation permit was obtained by misrepresentation or fraud;
- C. The condition of the premises, or the area of which it is a part, has changed so that the home occupation is no longer justified under the meaning and intent of this title;
- D. One or more of the operating standards of the home occupation permit have not been met;
- E. The home occupation violates Federal, State, or local statute, ordinance, law, or regulation.

Chapter 17.80

CONDITIONAL USE PERMITS

Sections:

17.80.010	Purpose.
17.80.020	Application procedure.
17.80.030	Findings.
17.80.040	Conditions of approval.
17.80.050	Notice of decision.
17.80.060	Appeals.
17.80.070	Life of permits and extensions of time.
17.80.080	Revocation.
17.80.090	Subsequent Permits.

17.80.010 Purpose.

In certain districts, conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special considerations so that they may be located in a proper zoning district in order that the objectives of this title are satisfied and the conditional use is compatible with the permitted uses in the zoning district.

17.80.020 Application procedure.

Applications for a conditional use permit shall be filed and processed pursuant to the applicable sections of Chapter 17.70.

17.80.030 Findings.

A. Before a conditional use permit can be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

1. The proposed use would not impair the integrity and character of the zoning district in which it is to be located;
2. The proposed use would be compatible with existing land uses and future permitted land uses within the zoning district in which the proposed use is to be located;
3. The proposed use is consistent with the general plan;
4. There will not be significant effects upon the quality of the environment and natural resources;

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5. The proposed location, size, design and operating characteristics of the proposed use would not be detrimental to the public interests, health, safety, convenience or welfare of the city and that any incompatible impacts of the proposed use are mitigated by conditions of approval.

B. A home occupation permit may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.80.040 Conditions of approval.

The reviewing authority may place conditions of the approval of the conditional use permit that promote the public interests, health, safety, convenience or welfare of the city or that mitigate any impacts to surrounding properties.

17.80.050 Notice of decision.

A notice of decision of a conditional use permit shall be processed consistent with Chapter 17.70.

17.80.060 Appeals.

Appeals to a decision of the reviewing authority of a conditional use permit shall be submitted and processed consistent with the procedures in Chapter 17.70.

17.80.070 Life of permits and extensions of time.

The initial life and subsequent extensions of time for a conditional use permit shall be per Chapter 17.70, except that when any conditional use permit that is approved in conjunction with a tentative subdivision map or parcel map pursuant to Title 16 the conditional use permit shall not expire unless the tentative subdivision map or parcel map also expires, and an extension of the tentative subdivision map or parcel shall be deemed to be an extension of the conditional use permit.

17.80.080 Revocation.

Revocation of an approved conditional use permit shall be conducted consistent with procedures and notice requirements in Chapter 17.70.

17.80.090 Subsequent Permits.

Subsequent development permits associated with a conditional use permit shall be submitted, reviewed, and processed consistent with Chapter 17.70.

Chapter 17.82

PLANNED UNIT DEVELOPMENT PERMITS

Sections:

17.82.010	Purpose.
17.82.020	Application Procedure.
17.82.030	Allowed planned unit developments.
17.82.040	Prohibited planned unit developments.
17.82.050	Site area.
17.82.060	Findings.
17.82.070	Conditions of approval.
17.82.080	Notice of decision.
17.78.090	Appeals.
17.78.100	Life of permits and extensions of time.
17.78.110	Revocation.
17.78.120	Subsequent permits.

17.82.010 Purpose.

Planned unit developments (PUDs) are encouraged to achieve a more functional, aesthetically pleasing, and harmonious living and working environment within the city that otherwise might not be possible by strict adherence to the provisions of this title. In certain instances, the objectives of this title may be achieved by development that does not conform in all respects with the land use pattern designated on the zoning map or in the zone districts prescribed by this title.

17.82.020 Application Procedure.

A. Applications for a planned unit development (PUD) permit shall be filed and processed pursuant to the applicable sections of Chapter 17.70.

B. In addition to the standard application information required by the Community Development Director, the Site Plan Review Committee, after reviewing the site plan of the proposed PUD, shall list any unique, additional information necessary to review a proposed PUD in the Site Plan Review process.

17.82.030 Allowed planned unit developments.

A planned unit development may be utilized to achieve one or more of the following objectives:

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- A. To permit a site within more than one zone district to mix the permitted or conditionally permitted land uses of both zones within the site without regard to the zone district boundary.
- B. To permit development intensity greater than would otherwise be permitted by the implementation of the standards of the zone district in which the site is located;
- C. To permit the lot patterns on size, shape, and layout that would otherwise not be permitted by the standards of the zone district in which the site is located;
- D. To modify the required building setbacks, distances between structures, and landscaped areas that would otherwise be required by this title
- E. To permit variations to the standard local street cross-sections;
- F. To permit private streets and gated neighborhoods;
- G. To permit the implementation of the mixed use provisions in the MX-N, MX-C, or MX-D zone districts; and
- H. To reduce the amount of required parking spaces when spaces are shared among multiple land uses.

17.82.040 Prohibited planned unit developments.

A planned unit development is prohibited from being used to achieve one or more of the following:

- A. To add land uses that are not otherwise permitted in the zone district in which the PUD is located;
- B. To increase residential densities beyond the maximum allowed by the General Plan;
- C. To modify sign standards or provisions in Chapter 17.56; or
- D. To modify parking and loading standards or provisions in Chapter 17.54, except as stated in Section 17.82.030.

17.82.050 Site area.

- A. The minimum site area for a planned unit development shall be five (5) acres, except that there shall be no minimum site area requirements if the site is an infill development site.
- B. The site area may be made up of more than one parcel, however all parcels in the site area shall be contiguous.

17.82.060 Findings.

- A. Before a planned unit development (PUD) permit can be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:
 - 1. The location and design of the PUD is in accordance with the purpose of this title;
 - 2. The PUD is being proposed to achieve one or more of the objectives identified in Section 17.82.030;
 - 3. The location and design of the PUD and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare of the community to properties or improvements in the vicinity

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4. The location and design of the PUD will not generate more traffic than the streets in the vicinity can carry without congestion, and will not overload utilities;
 5. That PUD's population density, site area and dimensions, site coverage, yard spaces, height of structures, distances between structures, off-street parking and off-street loading facilities, landscaped areas and street design will produce an environment of stable and desirable character consistent with the purpose of this title;
 6. The combination of different dwelling types, architectural appearance, and/or varieties of land uses in the development will complement each other and will harmonize with the existing and proposed land uses in the vicinity; and
- B. A PUD may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.82.070 Conditions of approval.

The reviewing authority may place conditions of the approval of the planned unit development permit that promote the public interests, health, safety, convenience or welfare of the city or that mitigate any impacts to surrounding properties.

17.82.080 Notice of decision.

A notice of decision of a planned unit development permit shall be processed consistent with Chapter 17.70.

17.78.090 Appeals.

Appeals to a decision of the reviewing authority of a planned unit development permit shall be submitted and processed consistent with the procedures in Chapter 17.70.

17.78.100 Life of permits and extensions of time.

The initial life and subsequent extensions of time for a planned unit development use permit shall be per Chapter 17.70, except that when any planned unit development permit that is approved in conjunction with a tentative subdivision map or parcel map pursuant to Title 16 the conditional use permit shall not expire unless the tentative subdivision map or parcel map also expires, and an extension of the tentative subdivision map or parcel shall be deemed to be an extension of the planned unit development permit.

17.78.110 Revocation.

Revocation of an approved planned unit development permit shall be conducted consistent with procedures and notice requirements in Chapter 17.70.

17.78.120 Subsequent permits.

Subsequent development permits associated with a planned unit development permit shall be submitted, reviewed, and processed consistent with Chapter 17.70.

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Chapter 17.84

VARIANCES AND MINOR DEVIATIONS

Sections:

- 17.84.010** Purposes.
- 17.84.020** Prohibited variances or minor deviations.
- 17.84.030** Application procedure.
- 17.84.040** Minor deviation findings.
- 17.84.050** Variance findings.
- 17.84.060** Notice of decision.
- 17.84.070** Appeals.
- 17.84.080** Life of permits and extensions of time.
- 17.84.090** Revocation.
- 17.84.100** Subsequent permits.

17.84.010 Purposes.

This section allows variances and minor deviations from the development standards of this title when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical conditions, the strict application of the standards denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district.

17.84.020 Prohibited variances or minor deviations.

A variance or minor deviation may be granted to waive or modify any development standard of this title except to:

- A. Allow a land use not otherwise allowed in the zone district;
- B. Increase the maximum allowed residential density;
- C. Waive a specific prohibition; or
- D. Waive or modify a procedural requirement.

17.84.030 Application procedure.

Applications for a variance or minor deviation shall be filed and processed pursuant to the applicable sections of Chapter 17.70.

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17.84.040 Minor deviation findings.

A. Before a minor deviation may be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

1. The minor deviation is for the adjustment of a measurable development standard;
2. The minor deviation would allow an adjustment to a measurable development standard of not more than ten (10) percent.
3. The minor deviation is consistent with the purposes of this title.
4. The minor deviation will not be inconsistent with the General Plan.

B. A minor deviation may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

C. Any application for a minor deviation that exceeds ten (10) percent of the development standard requirement it shall be processed as a variance.

17.84.050 Variance findings.

A. Before a minor deviation may be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

1. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, are such that the strict application deprives such property of privileges enjoyed by other property in the vicinity and under identical zone district;
2. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone district and denied to the property for which the variance is sought;
3. The variance will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone district in which the property is located;
4. The variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which such property is located;
5. The variance does not allow a use or activity which is prohibited in the zone district where the property is located; and
6. The variance is consistent with the purposes of this title..
7. The variance will not be inconsistent with the general plan.

B. A variance may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.84.060 Notice of decision.

A notice of decision of a variance or minor deviation shall be processed consistent with Chapter 17.70.

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17.84.070 Appeals.

- A. Appeals to a decision of the reviewing authority of a variance or minor deviation shall be submitted and processed consistent with the procedures in Chapter 17.70.
- B. When a minor deviation is appealed, the variance findings in Section 17.84.050 shall apply to the appeal of the minor deviation.

17.84.080 Life of permits and extensions of time.

The initial life and subsequent extensions of time for a variance or minor deviation shall be per Chapter 17.70, except that when any variance that is approved in conjunction with a tentative subdivision map or parcel map pursuant to Title 16 the variance or minor deviation shall not expire unless the tentative subdivision map or parcel map also expires, and an extension of the tentative subdivision map or parcel shall be deemed to be an extension of the variance or minor deviation.

17.84.090 Revocation.

Revocation of an approved variance or minor deviation shall be conducted consistent with procedures and notice requirements in Chapter 17.70.

17.84.100 Subsequent permits.

Subsequent development permits associated with a variance or minor deviation shall be submitted, reviewed, and processed consistent with Chapter 17.70.

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Chapter 17.86

ZONING ORDINANCE AMENDMENTS

Sections:

- 17.86.010 Purpose.**
- 17.86.020 Application Procedure.**
- 17.86.030 Findings.**
- 17.86.040 Notice of decision.**
- 17.86.050 Appeals.**
- 17.86.060 Life of permits and extensions of time.**
- 17.86.070 Revocation.**
- 17.86.080 Subsequent permits.**

17.86.010 Purpose.

The purpose of this section is to provide a uniform procedure for amending the text of this title or the boundaries of the Zoning Map prescribed in this title. This title may be amended by changing the boundaries of districts or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure set forth in this chapter.

17.86.020 Application Procedure.

- A. Applications for amendment to this title shall be filed and processed pursuant to the applicable sections of Chapter 17.70.
- B. An amendment or change to the boundaries of a zone district on the Zoning Map (zone change) may only be filed by a property owner or authorized agent of land that is affected by the proposed amendment, or by the City Council or Planning Commission.
- C. An amendment or change to the text of this title (text amendment) may only be initiated by the City Council or the Planning Commission. Either authority may initiate such an amendment or change upon a written request by the Community Development Director or an interested person.

17.86.030 Findings.

- A. Before a zone change or text amendment may be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

The amendment is internally consistent with the goals, objectives, and policies of the general plan and this title;

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The amendment would not be detrimental to the public health, safety, or welfare of the community;

The amendment would maintain the appropriate balance of land uses within the city;

The anticipated land uses on the subject site would be compatible with existing and future surrounding uses;

B. A zone change or text amendment may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.86.040 Notice of decision.

A notice of decision of a zone change or text amendment shall be processed consistent with Chapter 17.70.

17.86.050 Appeals.

The decision of the City Council regarding a zone change or text amendment is final. There are no appeal provisions.

17.86.060 Life of permits and extensions of time.

A zone change or text amendment is final upon its effective date and does not expire.

17.86.070 Revocation.

A zone change or text amendment may not be revoked, except by filing a new application in accordance with Chapter 17.70.

17.86.080 Subsequent permits.

Subsequent development permits associated with a zone change or text amendment shall be submitted, reviewed, and processed consistent with Chapter 17.70.

Chapter 17.88

GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS

Sections:

17.88.010	Purpose.
17.88.020	Application process.
17.88.030	Frequency of general plan amendments.
17.88.040	Findings.
17.88.050	Notice of decision.
17.88.060	Appeals.
17.88.070	Life of permits and extensions of time.
17.88.080	Revocation.
17.88.090	Subsequent permits.

17.88.010 Purpose.

The purpose of a general plan amendment is to allow for modifications to the Hanford General Plan text (e.g., goals, policies, or implementation programs), the General Plan Land Use Map, the General Plan Circulation Map, or other elements of the Hanford General Plan. The purpose of a specific plan amendment is to adopt a new or modify an existing, approved specific plan.

17.88.020 Application process.

- A. Applications for a general plan or specific plan amendment shall be filed and processed pursuant to the applicable sections of Chapter 17.70.
- B. A general plan amendment affecting the General Plan Land Use Map or other map in the General Plan may be filed by a property owner or authorized agent of land that is affected by the proposed amendment.
- C. A specific plan amendment may be filed by a property owner or authorized agent of land that is affected by the proposed amendment.
- D. A general plan or specific plan amendment may be initiated by the City Council or the Planning Commission. Either authority may initiate such an amendment upon a written request by the Community Development Director or an interested person.

17.88.030 Frequency of general plan amendments.

Pursuant to Government Code Section 65358, no mandatory element of the General Plan may be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time and may include more than one change to the General Plan.

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17.88.040 Findings.

A. Before a general plan or specific plan amendment may be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

1. The amendment is internally consistent with the goals, objectives, and policies of the General Plan and this title;
2. The amendment would not be detrimental to the public health, safety, or welfare of the community;
3. The amendment would maintain the appropriate balance of land uses within the city;
4. The anticipated land uses on the subject site would be compatible with existing and future surrounding uses;

B. A general plan or specific plan amendment may be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.88.050 Notice of decision.

A notice of decision of a general plan or specific plan amendment shall be processed consistent with Chapter 17.70.

17.88.060 Appeals.

The decision of the City Council regarding a general plan or specific plan amendment is final. There are no appeal provisions.

17.88.070 Life of permits and extensions of time.

A general plan or specific plan amendment is final upon its effective date and does not expire.

17.88.080 Revocation.

A general plan or specific plan amendment may not be revoked, except by filing a new application in accordance with Chapter 17.70.

17.88.090 Subsequent permits.

Subsequent development permits associated with a general plan or specific plan amendment shall be submitted, reviewed, and processed consistent with Chapter 17.70.

Chapter 17.90

NONCONFORMING USES, STRUCTURES, AND LOTS

Sections:

17.90.010	Purpose.
17.90.020	Applicability.
17.90.030	Nonconforming uses.
17.90.040	Nonconforming structures.
17.90.050	Nonconforming lots.
17.90.060	Discontinuance of nonconforming uses.
17.90.070	Expansion or reestablishment with conditional use permit.
17.90.080	Restoration of damaged nonconforming structures.
17.90.090	Removal of certain nonconforming uses and structures.
17.90.100	Effect of eminent domain.
17.90.110	Change of Nonconforming Uses.

17.90.010 Purpose.

Within the zones established by this title, there exist uses, structures, and lots which were lawful before this title was adopted or amended, but which would now be prohibited under the terms of this title or its future amendments. It is the intent of this title to permit these nonconforming uses to continue until they are terminated, but not to encourage their expansion. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building where a building permit has been issued prior to the effective date of this title, provided such permit is diligently carried to completion.

17.90.020 Applicability.

This Chapter applies to uses, structures, and lots that were lawful when they were commenced, constructed, or created, but that do not comply with one or more applicable provisions of this title. This Chapter does not apply to nonconforming signs, which are instead subject to the requirements of Chapter 17.56.

17.90.030 Nonconforming uses.

A. A use shall be deemed nonconforming if it was lawfully commenced prior to the adoption or amendment of this title, but which now does not conform to the use regulations of this title applicable to uses.

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B. A use shall be deemed nonconforming if it was lawfully commenced while under the jurisdiction of Kings County, but which, after annexation of the site into the City, does not conform to the use regulations of this title.

C. No use shall be deemed nonconforming if it was lawfully commenced and the only provision of this title not being met is the provision of the minimum amount of on-site parking or loading area.

17.90.040 Nonconforming structures.

A. A structure shall be deemed nonconforming if it was lawfully erected prior to the adoption or amendment of this title, but which now does not meet all of the provisions, standards, and requirements of this title applicable to structures.

B. Except as provided in this Chapter, no nonconforming structure shall be moved, altered, or enlarged so as to increase the amount of floor space or the increase the difference between actual conditions and required standards regulating coverage, front yards, side yards, rear yards, height of structures, or distances between structures prescribed in the applicable regulations of this title, unless required by law or unless the moving, alteration or enlargement will result in the compliance of the structure with this title.

C. No structure partially occupied by a nonconforming use shall be moved, altered or enlarged in such a way as to permit the enlargement of the space occupied by the nonconforming use.

D. Routine maintenance and repairs may be performed on a nonconforming structure.

17.90.050 Nonconforming lots.

A. A lot shall be deemed nonconforming if it was legally created in accordance with the State Subdivision Map Act prior to the adoption or amendment of this title, but which, does not meet all of the provisions, standards, and requirements of this title applicable to lots.

B. A nonconforming lot shall not be subdivided, nor its lot lines adjusted, unless the subdivision or lot line adjustment brings the lot into conformance with the provisions, standards, and requirements of this title applicable to lots or reduces the difference between actual conditions and required standards while not creating a new nonconforming use or structure.

C. A nonconforming lot may be used for any use allowed in the zone district in which it is located.

D. A structure conforming to the provisions of this title may be constructed on a nonconforming lot.

17.90.060 Discontinuance of nonconforming uses.

A. Whenever a nonconforming use has been abandoned, discontinued, or changed to a conforming use for a continuous period of six months, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the zone district in which it is located.

B. An agricultural crop production use that is nonconforming due to annexation or adoption or amendment to this title shall be allowed to continue until such time as the intensity of non-agricultural uses increases on the site, provided that the intensity of the agricultural crop production use shall not increase.

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C. An animal raising use that is nonconforming due to annexation or adoption or amendment to this title shall be allowed to continue until such time as the intensity of non-agricultural uses increases on the site, provided that the intensity of the animal raising use (i.e. type and number of animals) shall not change or increase. The provisions for abandonment or discontinuance shall not apply.

17.90.070 Expansion or reestablishment with conditional use permit.

A. A nonconforming use may be expanded by up to ten (10) percent of its existing floor area if a conditional use permit is granted, in accordance with Chapter 17.80. The expansion of a nonconforming use or structure may be allowed only one (1) time per use.

B. A nonconforming use that has been abandoned or discontinued for a period of more than six (6) months, but less than eighteen (18) months, may be reestablished if a conditional use permit is granted, in accordance with Chapter 17.80.

17.90.080 Restoration of damaged nonconforming structures.

A. Whenever a nonconforming structure or a structure used for a nonconforming use is destroyed by fire or other calamity to the extent of seventy-five (75) percent or more of its structural mass, or has been voluntarily razed, or is required by law to be razed, the structure may not be restored, except in full compliance the requirements of this title for the zoning district in which it is located and the nonconforming use shall not be resumed.

B. If destruction of the nonconforming structure is to an extent less than seventy-five (75) percent of the structural mass, the structure may be rebuilt and reused in its nonconforming status. The percentage of structural mass destroyed shall be determined by the building official.

C. Within one (1) year from destruction, the following may be reconstructed upon the approval of a conditional use permit, in accordance with Chapter 17.80:

1. A nonconforming single- or multi-family residential structure or use when located in a residential zone district.
2. A nonconforming commercial structure or use when located in a commercial or industrial zone district.

17.90.090 Removal of certain nonconforming uses and structures.

A. Upon receipt of a violation, the following shall be removed with thirty (30) days, unless an alternative deadline is specified in the violation notice:

B. A nonconforming use that does not occupy a structure or is using a structure having an assessed valuation of less than one thousand (1,000) dollars shall be discontinued and completely removed or converted to a conforming status.

C. Existing fences, walls and hedges that do not conform to the provisions of this title governing the placement of fences, walls and hedges in relation to street intersections or encroachment into the public right-of-way, shall be removed or modified to conform to the provisions of this title.

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17.90.100 Effect of eminent domain.

- A. If the area of the lot is reduced by eminent domain, the provisions for nonconforming lots and structures shall apply, but the provisions for nonconforming uses shall not apply.
- B. If a required yard or setback area is reduced or eliminated by eminent domain, any affected building or structure shall be deemed nonconforming; provided, however, such building or structure may be structurally altered so long as such alterations comply with all the other requirements of the zoning district.
- C. If any required parking space on a lot is reduced or eliminated by eminent domain, the use shall not be deemed nonconforming solely because of lack of required parking spaces.

17.90.110 Change of Nonconforming Uses.

- A. A nonconforming use may be changed to another nonconforming use upon approval of a conditional use permit, in accordance with Chapter 17.80.
- B. A conditional use permit to change from one nonconforming use to another nonconforming use may only be granted if all of the following findings are made by the approving authority:
 - 1. The proposed use will not alter the character of the zone district in which it is proposed to be located to any greater extent than the existing or preexisting nonconforming use;
 - 2. The proposed use will not create more vehicular traffic than the volume created by the existing or preexisting nonconforming use;
 - 3. The proposed use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable matter than the amount created by the existing or preexisting nonconforming use; and
 - 4. The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

Chapter 17.92

REASONABLE ACCOMMODATION

Sections:

17.92.010	Purpose.
17.92.020	Definitions.
17.92.030	Reasonable accommodation request.
17.92.040	Notice to the public of availability of accommodation process.
17.92.050	Requesting reasonable accommodation.
17.92.060	Medical information.
17.92.070	Application requirements.
17.92.080	Jurisdiction.
17.92.090	Findings for reasonable accommodation.
17.92.100	Appeals.
17.92.110	Fee.
17.92.120	Stay of enforcement.

17.92.010 Purpose.

In order to make specific housing available to one or more individuals with disabilities, this chapter implements the policy of the city on requests for reasonable accommodation in its rules, policies, and procedures for persons with disabilities as required by the Fair Housing Act, as amended, 42 U.S.C. Section 3604(f)(3)(B). The policy of the city is to comply fully with the provisions of the Fair Housing Act.

17.92.020 Definitions.

- A. "Fair Housing Act" means The Federal Fair Housing Amendments Act of 1988, as amended.
- B. "Applicant" means any person with disabilities or their representative that is requesting a reasonable accommodation pursuant to this chapter.
- C. "Department" means the Community Development Department of the City of Hanford.
- D. "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

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E. "Person with disabilities" means any person who, as defined by applicable federal law, has a physical or mental impairment that limits one or more major life activities or anyone who is regarded as having such impairment; or anyone who has a record of such impairment.

17.92.030 Reasonable accommodation request.

A. Any person with disabilities and eligible under the Fair Housing Act or their representative may request a reasonable accommodation with respect to the various land use or zoning laws, rules, policies, practices and/or procedures of the city as provided by the Fair Housing Act pursuant to the procedures set out in this chapter.

B. Nothing in this chapter requires persons with disabilities or operators of group homes for persons with disabilities acting or operating in accordance with applicable zoning, licensing or land use laws or practices to seek reasonable accommodation under this chapter.

17.92.040 Notice to the public of availability of accommodation process.

The Department shall prominently display a notice at the counter in the Community Development Department and Finance Department advising that persons with disabilities or their representatives may request a reasonable accommodation in accordance with the procedures established in this chapter.

17.92.050 Requesting reasonable accommodation.

A. A request by an applicant for reasonable accommodation relating to land use or zoning rules, policies, practices and/or procedures may be made orally or in writing. The Department will assist the applicant with furnishing the Department all information necessary for processing the reasonable accommodation request, including that information which the Department deems necessary to complete a reasonable accommodation request.

B. The Department will provide the assistance necessary to an applicant in making a request for reasonable accommodation. The Department will provide the assistance necessary to any applicant wishing to appeal a denial of a request for reasonable accommodation to ensure the process is accessible to the applicant. The applicant is entitled to be represented at all stages of the proceedings identified in this chapter by a person designated by the applicant.

17.92.060 Medical information.

A. Should the information provided by the applicant to the Department include medical information or records of the applicant, including records indicating the medical condition, diagnosis or medical history of the applicant, the applicant may, at the time of submitting such medical information, request that the department, to the extent allowed by law, treat such medical information as confidential information of the applicant.

B. Medical Information. The Department shall provide written notice to the applicant of any request received by the Department for disclosure of the medical information or documentation which the applicant has previously requested be treated as confidential by the Department. The Department will cooperate with the applicant, to the extent allowed by law, in actions initiated by the applicant to oppose the disclosure of such medical information or documentation.

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17.92.070 Application requirements.

A. The applicant shall submit a request for reasonable accommodation in a form acceptable to the Department. The application shall include the following information:

1. The applicant's name, address and telephone number;
 2. The address of the property for which the request is being made;
 3. The name and address of the property owner, and the owner's written consent to the application;
 4. The current actual use of the property;
 5. The basis for the claim that the individual is considered disabled under the fair housing laws: identification and description of the disability which is the basis for the request for accommodation, including current, written medical certification and description of disability and its effects on the person's medical, physical or mental limitations;
 6. The rule, policy, practice and/or procedure of the city for which the request for accommodation is being made, including the zoning code regulation from which reasonable accommodation is being requested;
 7. The type of accommodation sought;
 8. The reason(s) why the accommodation is reasonable and necessary for the needs of the disabled person(s). Where appropriate, include a summary of any potential means and alternatives considered in evaluating the need for the accommodation;
 9. Copies of memoranda, correspondence, pictures, plans or other background information reasonably necessary to reach a decision regarding the need for the accommodation; and
- B. If the project for which the reasonable accommodation is being requested also requires some other discretionary permit per this title or Title 16 (Subdivisions), then the reasonable accommodation request shall be acted on before proceeding with the public hearing for the discretionary permit applications.

17.92.080 Jurisdiction.

A. The community development director shall have the authority to consider and act on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the department, it will be referred to the director/designee for review and consideration. The community development director shall issue a written determination within thirty (30) days of the date of receipt of a completed application and may (1) grant the accommodation request, or (2) deny the request, in accordance with federal law. Any such denial shall be in writing and shall state the grounds therefore. All written determinations shall give notice of the right to appeal and the right to request reasonable accommodation in the appeals process. The notice of determination shall be sent to the applicant by certified mail, return receipt requested and by regular mail.

B. Requests for Additional Information. If reasonably necessary to reach a determination on the request for reasonable accommodation, the director/designee may, prior to the end of said thirty (30) day period, request additional information from the applicant, specifying in detail what information is required. The applicant shall have fifteen (15) days after the date of the request for

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additional information to provide the requested information. In the event a request for additional information is made, the thirty (30) day period to issue a written determination shall be stayed. The Community Development Director shall issue a written determination within thirty (30) days after receipt of the additional information. If the applicant fails to provide the requested additional information within said fifteen (15) day period, the Community Development Director shall issue a written determination within thirty (30) days after expiration of said fifteen (15) day period.

17.92.090 Findings for reasonable accommodation.

A. A determination on the following findings shall be made before any action is taken to approve or deny a request for reasonable accommodation and must be incorporated into the record relating to such approval or denial:

1. Whether the housing that is the subject of the request for reasonable accommodation will be used by one or more persons with disabilities protected under federal fair housing laws;
2. Whether the accommodation requested may be necessary to afford one or more persons with disabilities equal opportunity to use and enjoy a specific dwelling;
3. Whether the requested accommodation would require a fundamental alteration to the city's zoning scheme;
4. Whether the requested accommodation would impose undue financial or administrative burdens on the city.

B. A request for a reasonable accommodation shall not be denied for reasons which violate the provisions of the Fair Housing Act. This ordinance does not obligate the city to grant any accommodation request unless required by the provisions of the Fair Housing Act or applicable California state law.

17.92.100 Appeals.

A. The applicant may appeal the decision within thirty (30) days of the date the mailing of the decision to the applicant.

B. Appeals shall contain a statement of the grounds for the appeal.

C. If an applicant needs assistance in appealing a decision, the department will provide the assistance necessary to ensure that the appeal process is accessible to the applicant. All applicants are entitled to be represented at all stages of the appeal proceeding by a person designated by the applicant.

D. Appeals shall be to the City Council who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than thirty (30) days after an appeal has been filed. All determinations on appeal shall address and be based upon the findings identified in Section 17.92.090 and shall be consistent with the Fair Housing Act.

E. An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted.

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17.92.110 Fee.

There shall be no fee imposed in connection with a request for reasonable accommodation under the provisions of this chapter or an appeal of the decision. Nothing in this chapter obligates the city to pay an applicant's attorney fee.

17.92.120 Stay of enforcement.

While an application for reasonable accommodation or appeal of said application is pending before the city, the city will not enforce the subject zoning ordinance against the applicant.

Chapter 17.94

ENFORCEMENT

Sections:

17.94.010	Purpose.
17.94.020	Issuance of permits, certificates and licenses.
17.94.030	Code Enforcement Officer defined.
17.94.040	Duties of the Code Enforcement Officer.
17.94.050	Infraction.
17.94.053	Public Nuisance.
17.94.057	Abatement.
17.94.060	Issuance of administrative citation.
17.94.070	Service of administrative citation.
17.94.080	Proof of service of administrative citation.
17.94.090	Abatement work—Extension of time.
17.94.100	Fines assessed.
17.94.110	Appeal of administrative citation.
17.94.120	Performance of abatement – City authority.
17.94.130	Entering property for abatement work.
17.94.140	Dangerous nuisance—Immediate abatement.
17.94.150	Administrative and abatement costs.
17.94.160	Costs of abatement—Record keeping.
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17.94.180	Notice of lien.
17.94.190	Collection of confirmed assessment.
17.94.200	Remedies of private parties.
17.94.210	Alternatives.
17.94.220	Enforcement authority.
17.94.230	Obstruction of enforcement.
17.94.240	Failure to comply.

17.94.010 Purpose.

The purpose of this chapter is to provide uniform provisions for the effective and fair enforcement of the provisions of this title.

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17.94.020 Issuance of permits, certificates and licenses.

A. All officials, departments and employees of the city vested with the authority or duty to issue permits, certificates, or licenses shall comply with the provisions of this title and the rest of the Hanford Municipal Code and shall issue no permit, certificate, or license which conflicts with the provisions of this title. Any permit, certificate, or license issued in error that is in conflict with the provisions of this title shall upon its issuance be void.

B. A business license for any new business or for a new location for any existing business activity shall not be issued until the Community Development Director has determined that conduct of the business activity is not in violation of any provision of this title.

17.94.030 Code Enforcement Officer defined.

The Community Development Director, the City Engineer, the Building Official, and the Fire Marshal or their assigned designee shall be the officials responsible for the enforcement of this title, and are collectively referred to in this chapter as the Code Enforcement Officer.

17.94.040 Duties of the Code Enforcement Officer.

A. In the discharge of their duties, the Code Enforcement Officer shall have the right to enter any real property and any structure, building or other improvement located thereon for purposes of investigation and inspection, so long as the real property, and/or the structures, buildings or improvements thereon are open to the public, otherwise, entry must be with the permission of the owner or the owner's authorized agent. In the event permission cannot be obtained or is refused, entry shall be accomplished pursuant to an order or judgment of a court.

B. The Code Enforcement Officer, with the consent of the City Manager, may call upon the City Attorney to institute legal proceedings to enforce the provisions of this title, and the City Attorney is authorized to institute appropriate actions for that purpose.

C. The Hanford Police Department is also authorized to enforce the provisions of this title.

17.94.050 Infraction.

Any person or entity violating any provision of this title shall be guilty of an infraction. A person or entity shall be deemed guilty of a separate and distinct offense for each and every day a violation of this title is committed or continues to exist.

17.94.053 Public Nuisance.

Any violation of this title shall constitute a public nuisance.

17.94.057 Abatement.

Whenever the Code Enforcement Officer has inspected and finds that conditions constituting a public nuisance and/or a violation of this title exist, the city may use the procedures set forth in this chapter for the abatement of such nuisance or violation.

17.94.060 Issuance of administrative citation.

The Code Enforcement Officer shall issue an administrative citation, and serve the same in accordance with the provision of Section 17.94.070 on the landowner and the person, if other than the landowner, occupying or otherwise in apparent charge or control of the property. The administrative citation shall contain the following:

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- A. The street address and/or assessor's parcel number and location description sufficient for identification of the property on which the violation and/or public nuisance exists;
- B. A statement that the Code Enforcement Officer has determined that a violation and/or a public nuisance exists on the property, with a brief description of the conditions that render the property in violation and/or as a public nuisance and identification of the section(s) of the Hanford Municipal Code or other law or regulation violated;
- C. A statement to require the violator(s) to obtain all appropriate permits and correct the violation or abate the public nuisance within the time period identified in the administrative citation which time period shall not exceed ten (10) days from the date of service of the administrative citation, unless the Code Enforcement Officer identifies a longer period of time on the administrative citation;
- D. A statement advising that the disposal of material removed from the property in order to comply with the administrative citation shall be disposed of in the manner required by law;
- E. A statement advising that if the required work is not commenced within the time specified, the Code Enforcement Officer may proceed to cause the work to be done, and bill the persons named in the administrative citation for all abatement costs and administrative expenses of the city and/or levy the costs against the property by recordation of a notice of lien in accordance with Section 17.94.180 of this chapter;
- F. Amount of fine imposed for the violation(s);
- G. Explanation of how the fine shall be paid and the consequences of failure to pay the fine;
- H. Signature of the Code Enforcement Officer and the signature of the violator if the violator can be located. If the violator refuses or does not sign the administrative citation, the lack of such signature shall in no way affect the validity of the administrative citation and subsequent proceedings;
- I. A statement advising the person or persons identified in the administrative citation that they may appeal the issuance of the administrative citation in accordance with Section 17.94.110 of this chapter.

17.94.070 Service of administrative citation.

The administrative citation, and any documents related thereto shall be served by one of the following methods:

- A. Personal service; or
- B. First Class mail, postage prepaid, to each person identified at the address as it appears on the last equalized assessment roll of the county, or as otherwise known to the Code Enforcement Officer. The address of the property owner shown on the assessment roll shall be conclusively deemed to be the property address for the purpose of service of the administrative citation. Service by mail in the manner described above shall be effective on the date of mailing.
- C. The failure of the person with an interest in the property to receive any administrative citation served in accordance with this section shall not affect the validity of any proceedings taken under this chapter. If the owner of record, after diligent search cannot be found, the

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administrative citation may be served by posting a copy thereof in a conspicuous place upon the property for a period of ten days.

17.94.080 Proof of service of administrative citation.

Proof of service of the administrative citation shall be documented at the time of service by a declaration under penalty of perjury executed by the person effecting service, declaring the date and manner in which service was made. If the administrative citation is published, an affidavit of publication shall be obtained from the newspaper publishing the administrative citation.

17.94.090 Abatement work—Extension of time.

Upon receipt of a written request from any person required to comply with the administrative citation, the Code Enforcement Officer may grant an extension of time within which to complete the work or abatement, if the Code Enforcement Officer determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property and if such person has begun and is diligently accomplishing the work or abatement. The Code Enforcement Officer shall have the authority to place reasonable conditions on any such extensions.

17.94.100 Fines assessed.

- A. The City Council by resolution shall establish the amount of the fine to be assessed for administrative citations issued by Code Enforcement Officer.
- B. If the violator or property owner fails to correct the violation, subsequent administrative citations may be issued for the same violation(s). The amount of the fine shall increase at a rate specified in the City Council resolution.
- C. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the city.
- D. All fines assessed shall be payable to the city.
- E. The failure of any person to pay a fine assessed by administrative citation within the time specified on the citation shall result in the assessment of an additional late fee to be charged. The amount of the late fee shall be ten percent of the total amount of the administrative fine owed.
- F. The failure of any person to pay a fine assessed by administrative citation within the time specified on the administrative citation constitutes a debt to the city. To enforce that debt, the Code Enforcement Officer may:
 1. File a claim with the small claims court;
 2. Impose an assessment lien as set forth in Section 17.94.180; or
 3. Pursue any other legal remedy to collect such money.

17.94.110 Appeal of administrative citation.

- A. Any person receiving an administrative citation may appeal the issuance of the administrative citation to the City Council. The notice of appeal must be submitted on an appeal form provided by the community development director, must specify the basis for the appeal in detail, and must be filed with the community development director within ten (10) days after the date of service of the administrative citation. If the deadline falls on a weekend or city holiday, then the deadline shall be extended until the next regular business day.

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B. When an appeal is filed, unless the Code Enforcement Officer determines that the violations identified in the administrative citation constitute an immediate threat to the health or safety of any person, the enforcement of the violations identified in the administrative citation and the requirement to pay any fine shall be stayed until the date that the appeal hearing is held by the City Council.

C. As soon as practicable after receiving the written notice of appeal, the community development director or city manager shall fix a date, time, and place for the hearing. Written notice of the date, time, and place for the hearing shall be served at least ten (10) days prior to the date of the hearing to the party appealing the administrative citation by any one of the following means:

1. Personal service; or
2. First class mail and posting the notice of hearing conspicuously on or in front of the property on which the violation is located.

D. The failure of any person with an interest in the property to receive such notice of hearing shall not affect the validity of any proceedings taken under this chapter. Service by normal delivery mail in the manner described above shall become effective on the date of mailing.

E. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute waiver of that person's rights to administrative determination of the merits of the administrative citation and the amount of the fine.

F. The City Council shall conduct a public hearing and accept oral and written evidence regarding the administrative citation in the following manner:

1. The Code Enforcement Officer shall present testimony and evidence relating to the violation and the appropriate means of correcting the violation.
2. The owner, agent, or person responsible for the violation may present testimony or evidence concerning the violation and the means and time frame for correction.

G. The City Council may sustain, modify, or overrule the administrative citation.

H. The decision of the City Council regarding any appeal is the final administrative order and decision.

17.94.120 Performance of abatement – City authority.

If the violator and/or property owner fails to comply with the requirements of the administrative citation within the time periods set forth therein, the work to be performed and/or the abatement of the nuisance may, in the discretion of the Code Enforcement Officer, be performed by the city or by a contractor retained by the city.

17.94.130 Entering property for abatement work.

The Code Enforcement Officer or any employee, contractor, or authorized representative of the city may enter upon private property to abate the violation and/or nuisance in accordance with the provisions of this chapter. No person shall obstruct, impede, or interfere with any officer, employee, contractor, or authorized representative of the city whenever such person is engaged in the work or abatement, or in performing any necessary act preliminary to or incidental to such work or abatement, as authorized or directed pursuant to this chapter.

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17.94.140 Dangerous nuisance—Immediate abatement.

Whenever the Code Enforcement Officer determines that a violation or public nuisance is so imminently dangerous to life or adjacent property that such condition must be immediately corrected or isolated, the Code Enforcement Officer may institute the following procedures:

- A. The Code Enforcement Officer shall attempt to make contact through a personal interview, or by telephone, with the landowner or the person, if any, occupying or otherwise in apparent charge or control of the property.
- B. In the event contact is made, the Code Enforcement Officer shall notify such person or persons of the danger involved and require that such condition be immediately removed, repaired, or isolated so as to preclude harm to any person or property.
- C. In the event the Code Enforcement Officer is unable to make contact as herein above noted, or if the appropriate persons, after notification by the Code Enforcement Officer, do not take action as specified by the Code Enforcement Officer, within twenty-four (24) hours or such lesser time as circumstances may warrant in the discretion of the Code Enforcement Officer, then the Code Enforcement Officer may, with the approval of the city manager, take all steps deemed necessary to repair, remove, or isolate such dangerous condition, or conditions with the use of city forces or a contractor retained by the city.
- D. The Code Enforcement Officer shall keep an itemized account of the work and abatement costs and administrative expenses incurred by the city in repairing, removing, or isolating such condition or conditions. Administrative expenses may be recovered in the same manner that work and abatement costs are recovered.

17.94.150 Administrative and abatement costs.

Whenever a violation or public nuisance is found to exist as a result of an inspection, the actual work and abatement costs and reasonable administrative expenses, as determined by the Code Enforcement Officer, shall be paid by the property owner.

17.94.160 Costs of abatement—Record keeping.

The Code Enforcement Officer shall keep an itemized account of the expenses and costs incurred by the city in the work and abatement of any violation or public nuisance. Upon completion of the work and abatement, the Code Enforcement Officer shall prepare a report specifying the work and abatement performed, the itemized costs of the work on the property, including direct and indirect costs, a description of the property, and the names and addresses of the persons entitled to service per Section 17.94.070. Any such report may include expenses and costs on any number of properties, whether or not contiguous to each other. Each person named in the administrative citation shall be jointly and severally liable for such work and abatement costs and administrative expenses, and the amount of such costs and expenses shall be a debt owed to the city. Such report shall be served upon the persons identified therein in Section 17.94.090, together with a demand that the amount identified therein be paid within thirty (30) days of receipt of the report.

17.94.170 Appeal of costs of abatement.

The written demand for payment identified in Section 17.94.160 shall advise the person or persons identified in the written demand that they may appeal the demand for payment and the

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calculation of the amounts identified in the Code Enforcement Officer's report, within ten (10) days from the date of service of the written demand, which appeal must be made in accordance with the provisions of Section 17.94.120. The appeal shall be conducted in accordance with the provisions of Section 17.94.120.

17.94.180 Notice of lien.

A. If a violator fails to pay a fine within the time period identified on the administrative citation or should the violator fail to pay the costs of abatement within the time period identified in Section 17.94.160 or within ten (10) days after the date of the decision of the hearing officer should the hearing officer affirm the collection of a fine or the costs of abatement, the Code Enforcement Officer may execute and file in the office of the county recorder a notice of lien of substantially the following form:

NOTICE OF LIEN

Pursuant to the authority vested in the Code Enforcement Officer of the city of Hanford Municipal Code, said Code Enforcement Officer, by the provisions of the city of Hanford Municipal Code, and on or about _____, said Code Enforcement Officer did assess a fine and/or, on or administrative expenses and abatement costs upon that certain real property commonly known as _____ Hanford, California, and more particularly described in Exhibit "A", which is attached hereto and made a part hereof ("Real Property"), and neither the same has been paid. The city of Hanford hereby claims a lien on the Real Property for said fine and/or administrative expenses and abatement costs in the amount of \$ _____. This amount shall be a lien upon the Real Property until the sum has been paid in full and discharged of record.

Dated: This _____ day of _____, 20__.

CODE ENFORCEMENT OFFICER OF THE CITY OF HANFORD

(ACKNOWLEDGMENT)

B. Immediately upon the recording of the notice of lien, the assessment shall constitute a lien on the real property assessed. Such lien shall, for all purposes, be upon a parity with the lien of state and local taxes.

17.94.190 Collection of confirmed assessment.

The notice of lien, after recording, shall be delivered to the tax assessor of Kings County, who shall enter the amount on the county assessment book opposite the description of the real property, and the amount shall be collected together with all other taxes levied thereon against the real property.

Thereafter, the amount set forth in the notice of lien shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes are made applicable to such assessment. The amount set forth in the notice of lien shall be returned to the city to the fund designated for code enforcement activities.

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17.94.200 Remedies of private parties.

The provisions of this chapter shall not affect the rights of private parties to pursue any and all legal remedies.

17.94.210 Alternatives.

Nothing in this chapter shall prevent the City Council from requesting the city attorney to commence a civil or criminal proceeding to abate a violation and/or a public nuisance as an alternative to the proceedings set forth in this chapter.

17.94.220 Enforcement authority.

Enforcement of this chapter by the city may be accomplished by the Code Enforcement Officer in any manner authorized by law. The procedures set forth in this chapter shall not be exclusive and shall not in any manner limit or restrict the city from enforcing other city ordinances or abating violations and/or public nuisances in any other manner provided by law.

17.94.230 Obstruction of enforcement.

Any person who removes any notice or order posted as required in this chapter without the consent of the city is guilty of an infraction.

Any person who obstructs, impedes or interferes with any representative or contractor of the city or with any person who owns or holds any estate or interest in real property, buildings or premises which has been ordered to be vacated, repaired, rehabilitated or demolished or brought into compliance with this chapter, when any of the aforementioned individuals are engaged in work involving the abatement, is guilty of an infraction.

17.94.240 Failure to comply.

It is unlawful for a person to violate any provision or to fail to comply with any of the requirements of this chapter. A violation of any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall constitute an infraction which shall be punishable by fine as established by the resolution of the City Council.

Each such person may be charged with a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

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Chapter 17.96

DEFINITION OF LAND USES

Sections:**17.06.010 Purpose.****17.06.020 Land use definitions.****17.06.010 Purpose.**

The purpose of this chapter is establish definitions for the identified land uses in this title.

17.06.020 Land use definitions.

The following land use definitions apply to this title. The item number in parenthesis at the end of the definition is not a part of the definition, but refers to the line item of that land use in Table 17.18.020 and Table 17.18.030.

“Adult day health care center”. See “Residential care facility”. (H13)

“Adult entertainment establishment” means any adult bookstore, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter establishment, adult model studio or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," but not including those uses or activities, the regulation of which is preempted by state law. (I1)

“Agricultural crop production” means the use of land for farming, horticulture, floriculture, viticulture, apiaries, tree and sod farms, animal and poultry husbandry, and accessory activities, including, but not limited to, storage, associated maintenance of equipment, harvesting of crops or feeding of animals and excluding dairying, stockyards, slaughtering or commercial food processing. Pursuant to Health and Safety Code Section 17021.6, any employee housing consisting of no more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household shall be deemed an agricultural land use for zoning purposes. (D1)

“Agricultural products packing, packaging, preparing or processing” means a facility performing any processing or packaging of crops after harvest, whether or not value is added, to prepare them for market on-site or for further processing and packaging elsewhere, including but not limited to: alfalfa and hay cubing; corn shelling; drying of corn, rice, hay, fruits or vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; canning, freezing, or preserving fruits and vegetables; tree nut hulling and shelling; and alcohol fuel production. Any of the above activities performed in the

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field with mobile equipment not involving permanent buildings are included under “Agricultural crop production.” It includes related accessory uses such as offices, laboratories, retail sales of agricultural products produced on the premises or off-site by the operator, retail sales of agriculture-related promotional and/or educational items, and facility tours. Does not include “wineries,” or sorting and packing activities conducted within a permitted roadside stand. (D2)

“Airport or heliport” means an area of land, water or a structural surface that is used for the landing and takeoff of airplanes and/or helicopters, and any appurtenant areas or buildings that are used for maintenance, servicing, or storing of aircraft, and for services provided to pilots or passengers. (K1)

“Ambulance service” means the provision by a licensed ambulance provider of ground transportation of a sick or injured person in a specially designed and equipped vehicle which includes a trained ambulance attendant who is licensed or certified as required by state law. (J1)

“Animal raising” means the care and breeding of domestic agricultural animals such as chickens and other fowl, horses, goats, or cows. (D3)

Art school. See School, charter, trade, vocational, art, business, or professional. (C13)

“Artisan food and beverage production and sales” means small scale production and/or preparation of food and/or beverages made on site with minimal automated processes involved and may include direct sales to consumers and product tasting. This definition includes uses such as small batch food producers and bakeries, small batch candy shops, cheese makers, and herbal remedies. The definition does not include production of beer, wine, or other alcoholic beverages. (B1)

Assembly, place of. See Club, lodge, or private meeting hall (C3) or Religious institution or facility. (C10)

"Assisted living, skilled nursing, or hospice facility" means a residential complex providing skilled nursing care on an intermittent, extended, or continuous basis to residents, with staff personnel and programs to assist residents with many activities of daily living. Units may or may not have kitchens, and meals can also be provided in a central location. (1) (H1)

“Athletic complex or ball field” means a field, outdoor court, outdoor swimming pool, stadium or group of these used for sporting activities such as baseball, softball, football, basketball, swimming, or other sports, and is not operated as a commercial enterprise. (G1)

“Auction or sales house” means a fully enclosed establishment where items are offered for sale through competitive bidding. It does not include foreclosure, real estate or personal property sales conducted upon the site of the estate, foreclosed or for sale property or property belonging to the personal property owner. It does not include “Swap meet or flea market” or “Auction or sales yard.” (I2)

“Auction or sales yard” means an outdoor or open air facility where items are offered for sale through competitive bidding. Items typically include motor vehicles, heavy equipment, items of an industrial nature, livestock, or items not normally found within retail stores. It does not include “Swap meet or flea market.” It may also have an indoor component similar to an Auction or sales house. (I3)

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“Auditorium” means a large room or building used for public gatherings typically open to the general public to watch and/or listen to a performance, speech, or concert. It does not include “Theater, live or movie.” (C1)

“Automated teller machine (ATM)” means a computer terminal that takes the place of a human bank teller and allows the user to access basic bank services, such as making deposits and cash withdrawals, from remote locations. (A1)

"Automobile and pick-up sales, new and used" means an open area that can include buildings, other than a street, used for the display, sale, or rental of new and used automobiles and pick-ups along with incidental repairs and servicing of automobiles or pick-ups. (I4)

"Automobile and pick-up sales, used only" means an open area or building, other than a street, used for the display, sale or rental of used automobiles and pick-ups and where no repair work is done except minor incidental repairs and servicing of automobiles or pick-ups to be displayed, sold or rented on the premises. (I5)

Automobile service station. See Fuel sales, retail, Motor vehicle repair or service, minor, and Motor vehicle repair service, major. (I16) (J18) (J19)

Automobile wrecking yard. See Junk yard, wrecking yard, or salvage facility. (K5)

Ball field. See Athletic complex or ball field. (G1)

“Bank or credit union, main branch” means an institution providing retail banking services that is the main branch in the city. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding a payday lender or check-cashing establishment. For administration, headquarters, or other offices of banks and credit unions without retail banking services with on-site circulation of money see Office, professional or commercial. (J2)

“Bank or credit union, secondary branch” means an institution providing retail banking services that is a secondary or satellite branch in the city and either does not provide loan officers on site or only provides merchant bank services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding a payday lender or check-cashing establishment. For administration, headquarters, or other offices of banks and credit unions without retail banking services with on-site circulation of money see Office, professional or commercial. (J3)

“Bar, nightclub, or lounge” means an establishment that provides alcoholic beverages for consumption on the site and may or may not provide food service, and that may provide live entertainment and/or dancing. This use typically requires an ABC Type 40, 42, 48, 60, or 61 license. (B2)

“Barbershop, hair salon, nail care, massage therapy, or day spa” means an establishment that provides personal care treatments or massage therapy of hair, skin, nails, and/or face where overnight accommodations are not provided. This use includes the application of permanent facial makeup, but does not include other forms of tattooing or body art application. (J4)

“Bed and breakfast inn” means a transient lodging establishment that is predominantly residential in character, is primarily engaged in providing overnight or otherwise temporary lodging for the general public, and where a breakfast meal is customarily included in the lodging

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rate. Alcoholic beverages served to overnight guests typically requires an ABC Type 67 license. (2) (H2)

“Boarding house or rooming house” means a structure where residents typically rent by the room, and where meals are typically provided. This definition does not include assisted living, skilled nursing, or hospice facility, bed and breakfast inn, or residential care facility. (3) (H3)

“Boat, recreational vehicle (RV), and truck sales” means an open area or building, other than a street, used for the display, sale, or rental of new or used boats, campers, camper trailers, recreational vehicles, trucks over one-ton capacity, and other vehicles or sporting equipment of similar size, and where no repair work is done except minor incidental repairs and servicing of vehicles and equipment to be displayed, sold or rented on the premises. (I6)

“Brewery, winery, or distillery” is an establishment that manufactures beer, wine, distilled spirits or similar alcoholic beverages, including processing, storage, aging, packaging, bottling, and shipping. Consumption can occur on or off of the site in accordance with the establishment’s ABC license restrictions, and can include tasting facilities and/or a restaurant. This use typically requires an ABC Type 01, 02, 03, or 04 license. (D4)

“Brewpub” means a restaurant that also brews limited amounts of beer for consumption on the site. This use typically requires an ABC Type 75 license. (B3)

“Building materials and supply or home improvement store” means an establishment selling a mix of lumber, building materials, tools, residential appliances, nursery items, and home furnishings. (I7)

“Bus, transit, or train station” means a terminal facility where transit vehicles load or unload passengers, along with supporting services such as ticket sales and waiting areas. Bus, transit, or train station does not include a transit stop along a route in the public right-of-way where no additional services are provided. (K2)

Business school. See School, charter, trade, vocational, art, business, or professional. (C13)

“Business support service” means an establishment providing primarily other businesses with a mix of services that can include word processing, desktop publishing, spreadsheet design, telephone answering, mail receiving and forwarding, packing and shipping, bookkeeping, and photocopying, and can include indoor storage rental, and/or small office space rental when provided with these services. (E1)

“Call center” means an office used primarily for receiving or transmitting a large volume of requests by telephone to administer product support or information inquiries from consumers or to conduct telemarketing, solicitation of charitable or political donations, debt collection, or market research. (E2)

“Car wash, automatic or full service” means a facility for washing vehicles using conveyORIZED and/or mechanized equipment where the washing of the vehicle is performed by equipment, the facility’s employees, or both. (J5)

“Car wash, self-service” means a facility for washing vehicles where the user of the vehicle uses handheld equipment, typically coin-operated, to wash the vehicle. (J6)

“Card room” means an establishment providing legal gambling combined with card games, and can include a restaurant, bar, or other ancillary entertainment. (C2)

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“Caretaker residence or quarters” is a residence that is accessory to a primary use of the site, for housing a persons or persons who are tasked with caring for or securing the site on a part-time or full-time basis. Second dwelling unit includes caretaker residence or quarters in residential zones. (A2)

“Carpet cleaning and dyeing” means an establishment that provides for the cleaning and dyeing of rugs, carpet, and upholstery. (J7)

"Cemetery" means land and facilities used or intended to be used for the burial or interment of the dead, and includes a columbarium, crematorium, mausoleum and/or mortuary when operated in conjunction with and within the boundary of the facility. (F1)

Charter School. See School, charter, trade, vocational, art, business, or professional. (C13)

Check cashing establishment. See Payday lender or checking cashing establishment. (J20)

Child care center. See Day care facility. (A4) (F4) (F5) (F6)

"Carnival or circus" means a temporary outdoor amusement center, bazaar or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales, or small-scale games. Carnival or circus does not include a non-profit event sponsored by a local school or religious institution. (C4)

“Club, lodge, or private meeting hall” means a large room or building used for public gatherings where membership or invitation is typically required to attend. It can include a dance floor, lodge rooms, conference rooms, dining rooms, drinking establishments for members and their guests only, and exhibit rooms. Alcoholic beverage service to members and their guests typically requires an ABC Type 51, 52, or 57 license. (C3)

“Cold storage or ice house” means a facility for the storage food or other items in an artificially cooled place for the purpose of preservation, and/or for producing large amounts of ice. (K3)

“College or university, private or public” means a school or group of schools that provides post-secondary education usually resulting in a degree. (C5)

Clinic, medical. See Urgent care center or other walk-in clinic. (E9)

“Commercial recreation facility, indoor” means indoor recreational facilities that are operated as a business and open to the general public for an entry fee or pay per use. Examples include indoor uses such as, but are not limited to, a bowling alley, bounce house, skating rink, batting cage, miniature golf, swimming pool, climbing wall, arcade, and similar uses. Food and beverage service can be provided as an ancillary use. (G2)

“Commercial recreation facility, outdoor” means outdoor recreational facilities that are operated as a business and open to the general public for an entry fee or pay per use. Examples include outdoor uses such as, but are not limited to, a batting cage, miniature golf, water slide, go-cart racing, and similar uses. Food and beverage service can be provided as an ancillary use. (G3)

Communications equipment building. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

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"Community center or facility" means an assembly building used typically for non-profit social, recreational, and cultural activities. (F2)

"Community garden" means an area of land managed and maintained by an individual or group to grow and harvest food and horticultural products for personal or group consumption. The garden may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group. (F3)

"Construction materials recycling" means a yard or facility that collects leftover construction materials that may be recycled or reused as an alternative to disposal in landfill site. Examples of construction materials include lumber, drywall, masonry, cabinets, metals and appliances, cardboard and paper, asphalt roofing, plastic and vinyl, doors and windows, tubs, sinks, and toilets. (J8)

"Convenience store, with or without fuel sales" means an establishment with extended operating hours and in a convenient location, stocking a limited range of household goods and groceries. Retail fuel sales may or may not also be provided. (I8)

"Convention or conference center" means facilities designed and used for conventions, conferences, seminars, trade shows, product displays, and other events in which groups gather to promote and share common interests. Convention centers typically have at least one auditorium and may also contain concert halls, lecture halls, meeting rooms, and conference rooms, as well as accessory uses such as facilities for food preparation and serving and administrative offices. Convention or conference center does not include conference rooms that may be an ancillary use in a hotel and motel. (C6)

"Copy, printing, or mailing service" means an establishment providing printing, photocopying, engraving, binding, packaging, mailing and related services to both businesses and individuals. (J9)

"Cottage Food Operation" means a home-based business involving the preparation and/or packaging of certain foods in private-home kitchens for sale primarily by the resident family. (A3)

"Crematorium or columbarium" is a structure or building substantially exposed above ground intended to be used for the cremation and/or interment of the cremated remains of a deceased person or animal. (J10)

"Day care facility" means a facility providing supervision, feeding and nonmedical care of persons, usually but not necessarily children, for a time period of less than twenty-four (24) hours. Day care facilities are further divided into the following categories: up to eight (8) persons, nine (9) to fourteen (14) persons, and over fourteen (14) persons. (A4) (F4) (F5) (F6)

Day spa. See Barbershop, hair salon, nail care, massage therapy, or day spa. (J4)

"Drive-thru pick-up window, not in conjunction with a restaurant" means the ancillary use of a window or other opening in the wall of building through which goods or services are provided directly to customers in motor vehicles. Examples of non-restaurant establishments with this ancillary use can include banks, pharmacies, and dry cleaners. (A5)

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“Dry cleaning or laundromat” means an establishment providing laundry, dry cleaning, and other related services for individual customers on a pick-up and drop-off basis or where with coin-operated washing and drying machines are available for customer use. (J11)

Duplex. See Multi-family dwelling. (10) (H9) (H10) (H11)

Dwelling, multiple-family. See Multi-family dwelling. (10) (11) (12) (H9) (H10) (H11)

Dwelling, single-family. See Single-family dwelling. (16) (17) (H15) (H16)

“Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank” means the assembly of above-ground buildings or equipment on a separate lot that is part of a system for the distribution or transmission of electric power, natural gas, domestic water, or communications. Wireless communication facilities are not included in this definition. (F7)

“Electric vehicle recharging facility” means one or more publicly available parking spaces served by electric vehicle service equipment, and is typically an ancillary use in a parking garage or parking lot. (A6)

Elevated pressure tank. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

“Emergency Shelter” means a facility providing housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less where housing is not denied because of an inability to pay. (4) (H4)

“Employee housing” means a residential structure providing accommodations for six (6) or fewer farmworkers pursuant to Health and Safety Code Section 17021.5. (5) (H5)

“Equipment rental yard” means an establishment offering a wide variety of large equipment or tools for rent, much of which is stored outdoors when not being used. (J12)

“Exterminator or pest control service” means an establishment specializing in the elimination of vermin, insects, or other similar pests from a building or grounds, especially by the controlled application of toxic chemicals. (J13)

“Fairgrounds” means an area with indoor and outdoor facilities where fairs, circuses, or exhibitions are held. (F8)

“Farmers market” means a facility or area where several farmers or growers gather on a periodic basis to provide fresh fruits, vegetables, or other locally-grown agricultural products directly to consumers. (I10)

“Feed and seed store” means an establishment that provides feed, seed, and animal and agricultural supplies primarily in bulk quantities. (I11)

“Food catering” means an establishment that prepares and delivers food and beverages for off-site consumption, typically at a special event, without provision for on-site pickup or consumption. (J14)

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“Food locker” means an establishment that rents lockers, compartments, or space for the storage of frozen food. A food locker may also include the preparation or dressing of animal carcasses for consumption, but does not include the slaughtering of animals. (K4)

“Food produce stand” means an area or building set aside for the sale of agricultural produce that is grown primarily on the site. (I13)

“Food market” means an establishment that provides a wide variety of fresh produce and meat, canned and packaged food items, small household goods, and similar items that are typically consumed and used off premises. It can also contain a section where prepared foods are sold and consumed on site. (I12)

“Fortune telling” means an establishment where people’s fortunes are predicted through the use of astrology, card reading, numerology, etc. (J15)

“Fuel distributing” means a facility that is a base of operations for the bulk distribution of gasoline, propane, butane, or other another site. (J16)

“Fuel sales, fleet or cardlock” means an establishment that is typically unattended and provides gasoline, propane, diesel fuel, and/or other liquid or gaseous fuels mainly for commercial fleet vehicles. (I15)

“Fuel sales, retail” means an establishment that provides gasoline, propane, diesel fuel, and/or other liquid or gaseous fuels directly to consumers. (I16)

“Funeral home or mortuary” means an establishment where deceased are prepared for burial or cremation, and funeral services may be conducted. It can include an area where funeral vehicles are stored and caskets and other funeral supplies are sold. (C7)

“Furniture store” means an establishment that provides large and small furniture for living spaces such as homes and offices. Items sold normally include beds, tables, chairs, sofas, desks, and shelves. Home appliances, outdoor/patio furniture, wall cabinets, garage storage units, and home furnishing accessories are items sold that are excluded from the definition of furniture store. (I14)

"Games of skill or amusement" means machines, devices or apparatus, the operation or use of which is made possible by the deposit or placement of any currency, plate, disc, slug or key into any slot or crevice, for the purpose or use as a game or amusement. This use does not include games, machines, or devices used for a purpose that is prohibited by law. (A8) (A9)

“Garden shop” means an establishment that provides live plants and related products mainly to residential consumers, with a portion of the establishment typically located outdoors. (I17)

Gas regulator station. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

Gas station. See Fuel sales, retail. (I16)

“Golf course or country club” means one or more golf courses, with accessory facilities and uses that can include clubhouses with bar and restaurant, locker and shower facilities; driving ranges; "pro shops" for onsite sales of golfing equipment; and golf cart storage and sales facilities. (G4)

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"Government office; local, state, or federal" means a facility owned or operated by a local, state, or federal government that provides services to the public such as employment assistance, public assistance, motor vehicle registration and licensing services and similar activities commonly accustomed to having sizeable assemblages of people waiting for service, whether pedestrian or vehicular. This use does not include a government-owned facility that is more specifically defined in this chapter, such as fairgrounds, cemetery, post office, or public safety facility. (F9)

"Guest house" means living quarters without a kitchen, located on the same premises with a main residence. (34)

Hair salon. See Barbershop, hair salon, nail care, massage therapy, or day spa. (J4)

"Hazardous waste facility" means all contiguous land and structures, other appurtenances and improvements on the land used for the treatment, transfer, storage, resource recovery, disposal or recycling of hazardous waste, and may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling hazardous waste management units, or combinations of these units. (See Health and Safety Code Section 25117.1.) (D5)

"Health or fitness facility, large" means a fitness center, gymnasium, health club or athletic club that typically charges a membership fee and includes any of the following: indoor sauna, spa or hot tub facilities; a swimming pool, or a tennis, basketball or handball court. (G5)

"Health or Fitness Facility, small" means a fitness center, health club or athletic club that typically charges a membership fee and does not include any of the following: indoor sauna, spa or hot tub facilities; a swimming pool, or a tennis, basketball or handball court. (G6)

Heliport. See Airport or heliport. (K1)

"Home occupation" means a commercial business activity conducted as an accessory use within a residence. (A10)

"Hospital, general or psychiatric" means a facility that provides medical, psychiatric, or surgical service for sick or injured persons, primarily on an in-patient basis, and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration and services to patients, employees, or visitors. (E5)

"Hotel or motel" means a building or group of buildings in one complex consisting of multiple guest rooms intended or designed to be occupied on a temporary basis, and typically providing ancillary services such as a restaurant, lounge, pool or exercise room, meeting rooms, and/or other personal services. Alcoholic beverages served to overnight guests outside of a restaurant or bar/lounge typically requires an ABC Type 70 license. (6) (H6)

"Industrial or manufacturing facility, heavy" means a facility that manufactures products from extracted or raw materials or recycled or secondary materials, or the bulk storage and handling of such products and materials. This use includes operations such as biomass energy conversion; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing. This use does not include Agricultural products processing. (D6)

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“Industrial or manufacturing facility, light” means a facility that manufactures products from previously prepared materials completely within an enclosed building, and that produces minimal impacts on nearby properties. This use includes the manufacturing of finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; monument works; printing, engraving, and publishing; machine and electrical shops; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services. The use also includes the preparation and/or packaging of food for off-site consumption. (D7)

“Junkyard, wrecking yard, or salvage facility” means a facility that accepts, collects, and stores junk, scrap, or salvable material, including junk metals or other scrap materials, and/or that stores, dismantles, wrecks, or allows parts removal of more than three (3) non-operating automobiles, other vehicles, or machinery for a period of more than thirty (30) days. (K5)

“Keeping of household pets” means the keeping, raising, and caring for domesticated animals that are not considered domestic agricultural animals by the definition of Animal raising, and typically including dogs, cats, birds, fish or other similar sized animals. Also see Animal raising. (A11)

“Kennel or animal boarding” means any facility where four or more dogs, cats, or other small animals are kept overnight for profit, breeding, care, or exhibiting. This use does not include a pet store. (J17)

“Laboratory, general, medical, or dental” means a facility that conducts scientific or medical experiments, research, or teaching, typically within a completely enclosed building. (E4)

“Landscape nursery” means a facility that grows, maintains, and provides trees, plants, and other nursery products for transplant in another location typically to both retailer and wholesale customers. (I18)

“Library, museum, or cultural facility” means a facility operated entirely on a public or nonprofit basis for the purpose of providing education, information, training, and/or entertainment of a civic or cultural nature. (C8)

“Linen, diaper or uniform supply service” means an establishment providing high volume laundry and garment services, including power laundries (family and commercial), garment pressing and dry cleaning, linen supply, diaper service, and industrial laundries. This use does not include dry cleaning or laundromat. (J18)

“Liquor store” means an establishment that provides for the sale of alcoholic beverages such as beer, wine, and/or distilled spirits for consumption off of the site, along with other retail items. This use typically requires an ABC Type 20 or 21 license. Limited consumption on the site can occur only when the appropriate ABC license is obtained, typically an ABC Type 86 license. (I19)

“Live/Work facility” means a building that combines a complete dwelling unit with a commercial or office work space, with both occupancies used by the same person or family. (H7)

Lodge. See Club, lodge, or private meeting hall (C3)

Lounge. See Bar, nightclub, or lounge. (B2)

Lumberyard. See Building materials and supply or home improvement store. (I7)

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“Manufactured home” means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight (8) body feet or more in width, or forty (40) body feet or more in length, in the traveling mode, or, when erected on site, is three hundred twenty (320) or more square feet, and is designed to be used as a single-family dwelling when connected to the required utilities. (7)

“Manufactured home sales yard” means an establishment that stores and provides manufactured homes, typically in an open setting with a sales office. (I21)

Massage therapy. See Barbershop, hair salon, nail care, massage therapy, or day spa. (J4)

“Meat packing or slaughterhouse” means a facility used for the killing or dressing of animals, including cattle, sheep, swine, goats, horses, or poultry, and the storage, freezing, curing, or packaging of meat or meat products. (D8)

“Marijuana cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana. (A13)

“Marijuana dispensary or sales” means a facility that provides marijuana or marijuana products to a customer or patient. (I20)

“Marijuana manufacture” means a facility that compounds, blends, extracts, infuses, or otherwise makes or prepares a marijuana product. (D8)

“Meat packing or slaughterhouse” means a facility that slaughters animals and/or packages animal meat for food. (D9)

“Microbrewery” means an establishment that produces small batches of beer for sale on or off of the site. Typically, a microbrewery produces fewer than fifteen thousand (15,000) barrels of beer or ale per year. This use typically requires an ABC Type 75 license. (B4)

“Mining, quarry, or sand and gravel excavation” means an area of land where rock, ore, stone and similar materials are excavated and processed for sale for use off-site. (D10)

“Mini-warehouse or self-storage facility” means an establishment providing rental space, such as rooms, lockers, or containers for the storage of goods and materials, typically on a monthly basis. This use does not include Food locker or Warehouse or distribution center. (K6)

“Mobilehome” means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight (8) body feet or more in width, or forty (40) body feet or more in length, in the traveling mode, or, when erected on site, is three hundred (320) or more square feet, and is designed to be used as a single-family dwelling when connected to the required utilities. (8)

“Mobilehome park” means an area of land where two or more mobilehome sites are rented or leased, or offered for rent or lease, to accommodate mobilehomes or manufactured homes used as a residence. (9) (H8)

“Mobile vending or food truck” means a motorized vehicle that periodically parks to provide food or foodstuffs to customers. (A14)

Motel. See Hotel or motel. (H6)

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“Motor vehicle repair or service, major” means an establishment that provides major repair or servicing of motor vehicles, such as body, chassis, engine, transmission, or exhaust repair or modification. (J19)

“Motor vehicle repair or service, minor” means an establishment that provides minor repair or servicing of motor vehicles, such as the replacement of tires or batteries, smog inspection, oil and filter change, wheel alignment, and fluid flushing, refill, or replacement. (J20)

“Multi-family dwelling” means a building or group of buildings in one complex with multiple separate housing units. A multi-family dwelling can have two units (a duplex,) three units (a triplex,) four units (a fourplex,) or five or more units. Multi-family dwelling includes a mixed use building that also provides separate space for commercial or office use, but does not include an attached single-family dwelling. (10) (11) (12) (H9) (H10) (H11)

Nail care. See Barbershop, hair salon, nail care, massage therapy, or day spa. (J4)

“News, magazine, or flower stand, outdoor” means an establishment that provides newspapers, magazines, flowers, or other similar goods, typically to pedestrians passing by, in a permanent structure open to the outdoors. This use does not include sales from temporary booths or structures. (I22)

Nightclub. See Bar, nightclub, or lounge. (B2)

“Office; medical, dental, or optometry” means an establishment that provides services, typically by appointment, dealing with human health including dental, chiropractic, medical, optometry, physical therapy, psychology, psychiatry, family counseling, or therapy. This use does not include Barbershop, hair salon, nail care, massage therapy, or day spa. (E6)

“Offices, professional or commercial” means an establishment that provides administrative, clerical, technical, professional or similar business services and typically where products or goods are not provided. Examples include escrow and title, insurance, mortgage, real estate, accounting, architecture, graphic design, finance, consulting, engineering, legal, and similar services. (E7)

“Optical retailer” means an establishment that provides prescription eyeglasses and contact lenses, and where optometry services are not provided on the site. Prescription eyeglasses and contact lenses may be made on the premises. (I23)

“Outdoor advertising structure” means a structure of any kind or character, erected or maintained for outdoor advertising purposes, upon which a sign may be placed that advertises a use, product, or service that is not provided off-site. (A15)

"Outdoor storage" means the storage of goods or materials outside of any building or structure, but not including storage of a temporary or emergency nature. (A16)

“Park or playground” means an open area typically landscaped and containing play equipment that provides rest and recreation, usually owned by a public agency or homeowner’s association. (56) (G7)

"Parking facility, off-site" means an area, lot, or structure with one or more levels, other than a street or other public right-of-way, that provides for the parking of motor vehicles as a primary use on the site. This use does not include parking areas or lots that are ancillary and specifically intended to provide parking for the primary use on the site. (K7)

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“Pawn shop” means an establishment that provides secured loans to customers, with items of personal property used as collateral. (I24)

“Payday lender or check cashing establishment” is an establishment that cashes checks, warrants, or money orders for a fee, and/or provides short term loans, usually at a high interest rate, that must be paid in full when the borrower receives their next pay check. This use does not include Bank or credit union. (J21)

“Pet grooming” is a personal service establishment that, for a fee, trims, cleans or curries domestic pets such as dogs and cats and which may sell pet supplies. This use does not include Kennel or animal boarding. (J22)

“Pet store” means an establishment where dogs, cats, or other small animals are kept and offered for sale. (I25)

“Pharmacy” means an establishment that provides prescription drugs under the supervision of a pharmacist, and can also provide other retail products. (E8)

“Photography studio” means an establishment where customers can have their portraits taken professionally. (J23)

“Pool hall or billiard parlor” means an establishment where pool and/or billiard games are played for a fee. (C9)

“Post office” means a facility that accepts, processes, and sorts mail, operated by the United States Postal Service. (F10)

Private meeting hall. See Club, lodge, or private meeting hall (C3)

Professional school. See School, charter, trade, vocational, art, business, or professional. (C12)

Produce stand. See Food produce stand. (I13)

“Public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard” means a facility that provides for maintenance, servicing, or storage of fleet vehicles, equipment, or supplies, or for the dispatching of service vehicles; or distribution of supplies or construction materials required in connection with a business activity, public utility service, transportation service, government service, or similar activity. (F11)

“Public safety facility or station” means a facility that is a base for providing public safety and emergency services, including police, fire protection and emergency services. This use does not include Ambulance service. (F12)

Public service pumping station. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

“Recreational vehicle park” means a lot or area of land where two or more spaces are rented to users of recreational vehicles for overnight parking and use, and that typically provide support services, such as utility hookups and sewer dump facilities. (I3) (H12)

“Recycling, large collection facility” means a facility located in an area of over five hundred (500) square feet that accepts recyclable materials from the public by donation, redemption, or purchase for temporary storage and transport to a processing and sorting facility. (J25)

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“Recycling, processing or sorting facility” means a facility used for the collection, processing and preparation of recyclable material for efficient shipment, or to an end-user's specifications, by such means as bailing, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. (J26)

“Recycling, small collection facility” means facility located in an area of not more than five hundred (500) square feet that provides for the redemption of California CRV redeemable beverage containers by means of a kiosk, container, mobile unit, reverse vending machine or other collection method. (J24)

“Religious institution or facility” means a facility used primarily to gather for religious worship and related religious activities. (57) (C10)

“Repair shop, large appliance or equipment” means an establishment that restores or repairs major appliances or equipment that generally cannot be easily moved by a single person and is typically placed on the floor. This use typically provides all of its service on-site, and includes repair of large motorized equipment that are not vehicles. (J27)

“Repair shop, small appliance or equipment” means an establishment that restores or repairs small appliances or equipment that generally can be moved by one person and is typically repaired on a table or work bench. This use typically provides all of its service on-site, and includes services such as gunsmithing, lawnmower repair, and home computer repair. (J28)

“Research and development facility” means a facility that is primarily used for the research, design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. This use does not involve the fabrication, mass manufacture, or processing of products. (D11)

“Residential care facility” means a single-family dwelling, group care facility, or similar facility licensed by the State of California for twenty-four (24) hour non-medical care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. (14) (15) (H13)

“Residential dwelling located in the same building with office or commercial use” means a building that contains a mix of both residential dwelling units and space used for commercial or office uses. (H14)

“Restaurant, full service” means an establishment providing preparation and sale of a variety of food and beverages with full table service by wait staff. Takeout or delivery service and/or live entertainment may also be provided. If alcoholic beverages are served, this use typically requires an ABC Type 41 or 47 license. (B5)

“Restaurant, limited service with drive-thru pickup window” means an establishment providing preparation and sale of a variety of food and beverages for consumption on or off of the site by ordering and paying at a counter or drive-thru window. Delivery service and/or live entertainment may also be provided. (B6)

“Restaurant, limited service without drive-thru pickup window” means an establishment providing preparation and sale of a variety of food and beverages by ordering and paying at a counter. Takeout or delivery service and/or live entertainment may also be provided. Drive-thru

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pickup windows are not provided. If alcoholic beverages are served, this use typically requires an ABC Type 41 or 47 license. (B7)

“Retail sales store” means an establishment providing retail products. This use includes all retail sales establishments that are not more specifically defined in this chapter. (I26)

“Retail sales solely via internet, direct mail, or telephone” means an establishment providing retail products for sale and delivery only via internet, direct mail, or telephone communication, with a floor space for storage of products of less than five thousand (5,000) square feet. This use does not include a Call center or a Warehouse or distribution center. If alcoholic beverages are sold, this use typically requires an ABC Type 85 license. (I27)

Rooming house. See Boarding house or rooming house. (3) (H3)

“School, private (kindergarten to 12th grade)” means a facility owned and/or operated by a private entity that educates minors in courses of study required by the California Education Code. This use includes a kindergarten, elementary school, middle school, high school, special institution of education, or combination of these, and includes a technical, vocational, or art school only when the students are primarily minors. This use does not include home schooling at a residence. (41) (C11)

“School, public (kindergarten to 12th grade)” means a facility owned and/or operated by a publicly funded school district that educates minors in courses of study required by the California Education Code. This use includes a kindergarten, elementary school, middle school, high school, special institution of education, or combination of these, and includes a technical, vocational, or art school only when the students are primarily minors. This use does not include a charter school. (58) (C12)

“School; charter, trade, vocational, business, or professional” means a facility that is operated either with public funds under a charter contract or with private funds, and that offers specific educational instruction to children and/or adults. This use includes charter schools, secretarial schools, beauty and cosmetology schools, modeling schools, language schools, computer or electronics training schools, arts schools, and automotive repair schools, and similar specialized schools. (C13)

Scrap metal processing. See Junk yard, wrecking yard, or salvage yard. (K5)

“Secondhand or thrift store” means an establishment that accepts donations of secondhand items and clothing, and is typically operated for charitable purposes. (I28)

Service station. See Fuel sales, retail, and Motor vehicle repair or service, minor. (I16) (J19)

“Shooting range, indoor” means an establishment that is used for archery or firearms practice in a fully-enclosed facility. (J29)

“Shooting range, outdoor” means an establishment that is used for archery or firearms practice, either wholly or partially outdoors. (J30)

“Single-family dwelling, attached” means a building with two residential dwelling units located on portions of two lots with a building firewall along the lot line, such that the dwelling units may be sold separately. (16) (H15)

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Single-family dwelling, detached” means a building with one residential dwelling unit located on one lot. (17) (H16)

“Single-room occupancy (SRO)” means a residential facility of two or more separate individual rooms with typically less than five hundred (500) square feet of floor space, with or without separate kitchen or bathroom facilities for each room, rented on a weekly or monthly basis. Single-room occupancy does not include Hotel or motel. (18) (H17)

“Social service office, assistance center, or guidance center” means a facility that provides counseling, guidance, recuperative, or similar services for persons requiring rehabilitation assistance as a result of economic hardship, mental disability, alcoholism, detention, drug addiction, or similar conditions. This use does not include facilities that provide overnight stay. (F13)

“Specialty construction or trade service” means an establishment that provides construction, installation or maintenance services activities that are typically specialized trade activities, and where some of the service may be provided off-site. This use includes establishments that provide services such as plumbing, electrical work, painting, irrigation, heating/air conditioning, and masonry. This use does not include Repair shop or Motor vehicle repair or service. (J31)

“Storm drainage basin, with or without a park” means a facility that collects storm water from off-site locations into a sunken basin. The facility may be inaccessible to the public, or may be designed to provide partial public access for recreational use. (60) (F14)

“Studio for martial arts, music, dance, yoga, exercise, gymnastics or similar” means a facility that provides group or individualized instruction in a specific activity typically related to the arts. This use does not include Health or fitness facility. (C14)

“Supportive housing” is defined in Section 50675.14 of the Health & Safety Code and has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population as defined in Health & Safety Code Section 53260 (i.e., low income persons with mental disabilities, AIDS, substance abuse or chronic health conditions or persons whose disabilities originated before the person turned 18). Services typically include assistance designed to meet the needs of the target population in retaining housing, living and working in the community, and/or improving health and may include case management, mental health treatment, and life skills. (19) (H18)

“Swap meet or flea market” means a facility that provides typically compartmentalized space, either indoors or outdoors, to vendors who sells or barter merchandise. This use does not include ‘Farmers market,’ ‘Auction or sales house,’ or ‘Auction or sales yard.’ (I29)

“Tailoring or clothing alterations” means an establishment that provides custom making or altering of clothing when not an ancillary use in a clothing store. (J32)

“Tattooing or body art” means an establishment that provides tattooing, body piercing, and other forms of body art allowed by the California Health and Safety Code, except that body art involving ear piercing and permanent cosmetic application are not included and are considered ancillary uses in other establishments. This use does not include any use that is more specifically defined in Section 17.62.020. (J33)

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“Temporary materials or equipment storage yard” means a facility that is used to store, park, house, or prepare equipment, dirt, materials, or temporary offices or shops to support a construction or demolition activity occurring on another site. (A17)

“Temporary sales office” means a facility that provides temporary office space to support the sale of residences or other structures, and can include related parking. (A18)

“Theater, live or movie” means a facility with an auditorium for viewing movies, plays, acts, or other performances. (C15)

“Tobacco or smoke shop” means an establishment that provides tobacco products or tobacco related paraphernalia in an area greater than forty (40) percent of its total available retail floor space. (I30)

Trade school. See School, charter, trade, vocational, art, business, or professional. (C13)

Transit station. See Bus, transit, or train station. (K2)

Travel center. See Truck stop or Travel center. (K7)

“Transitional housing” means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (20) (H19)

“Truck stop or travel center” means an establishment or group of establishments designed to operate together that provide fuel, overnight parking, lodging, food, convenience goods, or other services primarily to truckers and travelers. (K8)

“Trucking or transportation terminal” means a facility designed specifically for large trucks or other vehicles to load, unload, or transfer freight, cargo containers, or other items being shipped, along with associated fueling areas, maintenance facilities, and offices. (K9)

“Urgent care center or other walk-in clinic” means a facility that provides medical treatment of injuries or illnesses that do not require treatment typically provided in an emergency room, typically without an appointment. This use includes urgent care centers, free clinics, and community health clinics, but does not include ancillary retail clinics located within a retail store, food market, or pharmacy. (E9)

“Vehicle impound yard” means a facility that provides temporary storage of vehicles that have been removed or impounded from public or private property at the direction of a peace officer or because of local ordinance or judicial order. (K10)

“Vending machines” means a device that dispenses a product or service upon activation by the receiver of that product or service. Products can include items such as ice; food and beverages, movies and video games, lottery tickets, newspapers, or similar items, but does not include fueling pumps. (A19)

“Veterinary clinic or office” means a facility where animals are examined, diagnosed, or treated, but typically not kept overnight. (J34)

“Veterinary hospital” means a facility where animals are kept for observation, diagnosis, treatment, or medical care, and can include overnight surveillance. (J35)

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Vocational school. See School, charter, trade, vocational, art, business, or professional. (C13)

“Warehouse or distribution center” means a facility for storage of goods or materials that will eventually be redistributed to retailers, wholesalers, or directly to consumers. This use does not include Mini-warehouse or self-storage facility. (K11)

Winery. See Brewery or winery. (D4)

“Wireless Communication Facility” means an unstaffed facility that transmits and receives wireless telecommunications, and typically consists of an antenna array, connection cables, and equipment room, and an antenna support structure tower, or pole. (F15)

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Chapter 17.98

DEFINITION OF TERMS

Sections:

- 17.98.010 Applicability**
17.98.020 Definition of terms.

17.98.010 Applicability

The terms, words, and phrases defined in this chapter shall apply to this title.

17.98.020 Definition of terms.

“Abutting” means two (2) or more parcels sharing a common boundary at least at one point.

“Abandoned” means failure to develop, maintain or use a building, structure or improvement or failure to conduct a use upon real property for a stated period of time.

“Access” means safe, adequate and usable ingress or egress to real property, structures or improvements.

“Accessory building or structure” means a structure which is subordinate to and the use of which is customarily incidental to, that of the main building, structure or use on the same site, including patio covers. If any accessory building is attached to the main building by a common wall or a connecting roof, such accessory building shall be deemed to be a part of the main building.

“Accessory use” means a use incidental, related, appropriate and clearly subordinate to the main use of the site or building, and accessory use does not alter the principal use of the site.

“Action” means the decision made by the review authority on a land use application, including appropriate findings, environmental determination and conditions of approval, where applicable.

“Addition” means any construction which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area. “Alley” is a public thoroughfare for the use of pedestrians and/or vehicles, producing only a secondary means of access to the abutting property.

“Alteration” means any construction or physical change in the internal arrangement of rooms or the supporting members of a building or structure or change in the appearance of any building or structure.

“Antenna” means a device for transmitting or receiving radio, television or any other transmitted signal.

“Applicant” means owner(s) of property, or their agent(s) who are seeking privileges provided by this title.

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“Attached” means any structure that has a wall or roof in common with another structure.

“Basement” means a portion of building partly or wholly underground and having more than one-half (1/2) of its height below the average level of the adjoining ground.

“Berm” means a mound or embankment of earth.

“Block” means a parcel of land surrounded by public streets, highways, freeways, railroad rights-of-way, flood control channels, creeks, washes, rivers or unsubdivided acreage or any combination thereof.

“Building” means a permanently located structure, having a roof, for the housing or enclosure of persons, possessions, or property of any kind. Mobile homes, travel trailers and other vehicles, even though permanently immobilized, shall not be deemed to be buildings.

“Building area” means the net portion of the lot remaining after deducting all required setbacks from the gross area of the lot.

“Building coverage” means the percent of lot area which may be covered by roof covered buildings, structures or improvements located on a lot.

“Building height” means the vertical distance between the average finished ground surface adjacent to the structure and to the highest point of the structure, excluding architectural features and appurtenances such as, but not limited to, chimneys, vents, antennas, elevators, and similar mechanical equipment.

“Building, main” means a building in which the principal use of the real property is conducted.

“Building setback area, front” means an area extending across the full width of the lot between the front lot line or the existing or future street right-of-way and a structural setback line parallel thereto. On corner lots, the shortest street frontage shall be the front building setback area.

“Building setback area, interior side” means an area extending from the required front building setback area or, where there is no required front building setback area, from the front lot line to the required rear building setback area or, where there is no required rear building setback area, to the rear lot line and from the interior side lot line to a setback line parallel thereto.

“Building setback area, rear” means an area extending across the full width of the lot between the rear lot line and a setback line parallel thereto.

“Building setback area, side” means a building setback area between the side lot line and a line parallel thereto and extending from the front building setback area to the rear building setback area.

“Building setback area, street side” means an area extending from the required front building setback area or, where there is no required front building setback area, from the front lot line to the rear lot line, and from the side street lot line, or the existing or future side street right-of-way (whichever is greater) to a structural setback line parallel thereto.

“Building site” means the ground area of a building together with all open spaces required by this title.

“Carport” means a permanent roofed structure not completely enclosed to be used for vehicle parking.

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“City” means the City of Hanford.

“Commercial vehicle” means a vehicle customarily used a part of a business for the transportation of goods or people.

“Commission” means the Planning Commission of the City of Hanford.

“Conditional use” means a use that may locate within a zone only upon taking measures to address issues that may make the use detrimental to the public health, safety and welfare and will not impair the integrity and character of the zoned district.

“Conditional use permit (CUP)” means a discretionary entitlement which may be granted under the provisions of this title and which when granted authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the entitlement.

“Construction commencement” means the start of construction of a substantial portion on-site and off-site structural improvements after a building permit has been issued.

“Council” means the City Council of the City of Hanford.

“County” means the County of Kings.

“Court” means an open, unoccupied space, other than a yard, unobstructed from ground to sky on the same lot with a building or buildings and which is bounded on two or more sides by the walls of a building.

“Days” means consecutive calendar days unless otherwise stated.

“Decibel (dB / dBA)” is a unit for describing the amplitude of sound, as it is heard by the human ear.

“Density” means the number of dwelling units per gross acre, unless otherwise stated, for residential uses.

“Density Bonus” means an increase in the allowable number of residences granted by the city or county in return for the project’s providing low- or moderate-income housing. A housing development that provides 20 percent of its units for lower-income households, ten percent of its units for very-low income households, or 50 percent of its units for seniors is entitled to a density bonus and other concessions (See California Government Code section 65915).

“Design” means the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all required easements and rights-of-way; fire roads and fire breaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; building, structures and improvements and other such specific physical requirements.

“Detached” means any building or structure that does not have a wall or roof in common with any other building or structure.

“Development” means any change or alteration of real property or its boundary lines, and including, without limitation, the placement or erection of any solid material, structure or improvement thereon; discharge or disposal of any dredged material or any gaseous liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any soil or materials;

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change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure including any facility of any private, public or municipal utility; and the removal of any major vegetation. As used in this title, "structure" includes but is not limited to any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. A "project," as defined in Government Code Section 65931, is included with this definition.

"Development agreement" means a binding contract between a developer and a city or county establishing the conditions under which a particular development may occur. The local government "freezes" the regulations applicable to the site for an agreed upon period of time. (see California Government Code section 65864)

"Development permit" means a discretionary entitlement which may be granted under the provisions of this title and which when granted authorizes a specific use to be made of specific property, subject to compliance with all terms and conditions imposed on the entitlement.

"Driveway" means a permanently surfaced area providing direct access for vehicles between a street and a permitted off-street parking or loading area.

"Dwelling" or "Dwelling Unit" means a room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

"Easement" means a grant of property rights by the property owner to the public, or any specific person.

"Electric vehicle" means a vehicle that uses a plug-in battery to provide all or part of the motive power of the vehicle, including battery electric, plug-in hybrid electric, or plug-in fuel cell vehicle.

"Electric vehicle service equipment" means an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.

"Establishment" means land, buildings, rooms, space, and/or equipment necessary for conducting business.

"Façade" means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

"Family" is an individual or a group of persons living together who constitute a bona fide single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house or institution of any kind.

"Facility" means land, buildings, rooms, space, and/or equipment necessary for doing something.

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“FAR (Floor Area Ratio)” is a measure of development intensity. FAR is the ratio of the floor area of a building to the area of its site. For instance, both a two-story building that covers an entire lot and a four-story building that covers 1/2 of a lot have a FAR of 2.

“Fence” means a barrier surrounding or located upon a parcel of real property or a portion thereof and intended to prevent escape or intrusion therefrom or to identify a boundary identity, including without limitation, screened, solid (ninety percent (90%) or more closed to air, light and vision), open (fifty percent (50%) or more), or temporary and which may be constructed from wood, metal or masonry material or any combination thereof.

“Furniture” means the things placed in a room which equips it for living. This normally includes beds, tables, chairs, sofas, desks, and shelves. Home appliances, outdoor/patio furniture, wall cabinets, garage storage units and home furnishing accessories are excluded from the definition of furniture.

“Garage” means an enclosed building, or a portion of an enclosed building used for the parking of vehicles.

“General Plan” means a document adopted by the City Council containing statement of policies, including text and diagrams, setting forth objectives, principles, standards, and plan proposals, for the future physical development of the City of Hanford.

“Glare” means the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

“Grade” means the degree of rise or descent of a sloping surface.

“Grade, finished” means the final elevation of the ground surface after development.

“Grade, natural” means the elevation of the ground surface in its natural state before man-made alterations.

“Grading” means the stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

“Gross acreage” means the total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel, and does not include adjacent lands already dedicated for such purposes.

“Gross floor area” means the area included within the surrounding exterior finish wall surface of a building or portion thereof, exclusive of courtyards.

“Hazardous waste” means either of the following:

1. A waste, or combination of wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics may either:
 - a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or
 - b. Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed;

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2. A waste which meets any of the criteria for the identification of a hazardous waste adopted by the State Department of Health Services pursuant to Health and Safety Code Section 25117 or any other federal, state or local law or regulation;
3. Resource Conservation and Recovery Act hazardous wastes;
4. Unless expressly provided otherwise, the term “hazardous waste” shall be understood to also include extremely hazardous waste and acutely hazardous waste. (Health and Safety Code Section 25117.)

“Improvement” means any item which becomes part of, placed upon, or is affixed to real estate.

“Infill development site” means a parcel or group of parcels that make up a site that is vacant or underutilized and is surrounded by developed land or parcels on at least seventy-five (75) percent of its perimeter. Infill development sites include previously developed sites that may/will be redeveloped.

“Integrated shopping center” means a combination of three (3) or more business establishments permitted or conditional permitted in the zone district in which they are located where off-street parking, landscaping, lighting, or other features are developed, managed and maintained jointly.

“Kitchen” means any room, all or any part of which is designed and/or used for cooking and the preparation of food.

“Landscaping” means an area devoted to, or developed and maintained predominantly with, native or exotic plant materials including lawn, groundcover, trees, shrubs and other plant materials; artificial turf and other permeable surfaces; and also including accessory decorative outdoor landscape elements such as pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading or storage areas), and sculptural elements.

“Land use” means a description of how land (real estate) is occupied or utilized.

“Loading Space” means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

“Lot” means a parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon. The classifications of lots are:

1. “Corner” means a lot located at the intersection of two or more streets at an angle of not more than one hundred thirty-five (135) degrees. If the angle is greater than one hundred thirty-five (135) degrees, the lot shall be considered an interior lot.
2. “Flag” means a lot having access or an easement to a public or private street by a narrow, private right-of-way.
3. “Interior” means a lot abutting only one street.
4. “Key” means a lot with a side line that abuts the rear line of any one or more adjoining lots.
5. “Reverse corner” means a corner lot, the rear of which abuts the side of another lot.
6. “Through” means a lot having frontage on two generally parallel streets, with only one primary access. (See “Illustration of Terms.”).

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“Lot area” means the net horizontal area within bounding lot lines after dedication.

“Lot coverage” means the area of a lot covered by buildings excluding eaves, projecting balconies, ground-level paving, landscaping, and open recreational facilities.

“Lot depth” is the horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line.

“Lot frontage” means the portion of the lot contiguous to the street.

“Lot line” means any boundary of a lot. The classifications of lot lines are:

1. “Front” means on an interior lot, the line separating the parcel from the street. On a corner lot, the shorter lot line abutting a street. (If the lot lines on a corner lot are equal in length, the front lot line shall be determined by the director). On a through lot, the lot line abutting the street providing the primary access to the lot.
2. “Interior” means any lot line not abutting a street.
3. “Rear” means a lot line, not intersecting a front lot line, which is most distance from and most closely parallel to the front lot line. In the case of an irregularly shaped lot or a lot bounded by only three (3) lot lines, a line within the lot having a length of ten (10) feet, parallel to and most distance from the front lot line shall be interpreted as the rear lot line for the purpose of determining required yards, setbacks and other provisions of this zoning code.

“Lot Width” means the horizontal distance between side lot lines, measured at the front setback line.

“Mall” means a large building or series of connected buildings containing a variety of retail stores, restaurants, and entertainment activities including, but not limited to, such activities as theaters, arcades, amusement rides, rock-climbing and other indoor recreation opportunities that serve a regional population.

“Median” means a paved or planted area separating a street or highway into two (2) or more lanes of opposite directions of travel.

“Nonconforming lot” means a lot, the area, frontage or dimensions of which do not conform to the provisions of this zoning code.

“Nonconforming structure” means a structure, lot or use which did conform to applicable laws when constructed or initiated, and which does not now conform to the provisions of this zoning code.

“Nonconforming use” means a use complying with applicable laws when established but which does not conform to the provisions of this zoning code.

“Open space” means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Does not include area covered by buildings or accessory structures (except recreational structures), paved areas (except recreational facilities), proposed and existing public and private streets or driveways, and school sites.

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“Open space, common usable” means recreational or leisure space for the shared use of residents of a multi-unit development with no dimension less than 20-feet and may include gardens, playgrounds, courtyards, swimming pools, sitting areas, court games, recreation rooms, exercise rooms or gyms, spas, community rooms, lawn/turf used for open play, ponds, fountains, atriums, picnic areas, rooftop gardens or green roofs, or similar uses or facilities.

“Overhang” means the part of a roof or wall that extends beyond the façade of a lower wall.

“Overlay district” is a district established by this zoning code which may be applied to a lot or portion thereof only in combination with a base district.

“Parapet” means the extension of the main walls of a building above the roof level.

“Parcel” means a parcel of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the latest recorded map in the Kings County recorder’s office.

“Parking area” means any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

“Parking lot” is an off-street, ground-level area, usually surfaced and improved, for the temporary storage of motor vehicles.

“Parking ratio” means the number of parking spaces provided per 1,000 square feet of floor area.

“Parking, shared” means a public or private parking area used jointly by two or more uses.

“Parking space” is the space marked for the parking of a motor vehicle within a public or private parking area.

“Parking structure or structured parking” means a multi-story car park (also called a parking garage or indoor parking) designed for car parking and where there are a number of floors or levels on which parking takes place.

“Parkway” means the area of a public street that lies between the curb and the adjacent property line or physical boundary definition such as fences or walls, which is used for landscaping and/or passive recreational purposes.

“Performance standards” means zoning regulations that permit uses based on a particular set of standards of operation rather than on particular type of use. Performance standards may provide specific criteria to limit noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts, or visual impact of a use.

“Permit” means a written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

“Person” means any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, state of California, and its political subdivisions or instrumentalities, receiver, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.

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“Permitted use” means any use allowed in a land use zoning district and subject to the provisions applicable to that district.

“Planned unit development (PUD)” means the development of a parcel(s) or structure(s) with two or more different land uses such as, but not limited to a combination of residential, office, manufacturing, retail, public or entertainment in a single or physically integrated group of structures.

“Principal use” means the primary or predominate use of any lot, building or structure.

“Project” means the total development within the boundaries as defined on the development plan.

“Public right-of-way” means a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or any other public uses.

“Recreational vehicle” means vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Includes, but shall not be limited to, motor home, travel trailer, fifth wheel, toy hauler, mounted camper, camping trailer, converted trucks and buses, boat, trailer, golf cart, all-terrain vehicle, sand buggy, dune buggy, utility terrain vehicle (side by side), personal watercraft or similar equipment.

“Recycling” means the process by which waste products are reduced to raw materials and transformed into new reused or reconstructed products which meet the quality standards necessary to be used in the market place.

“Review authority” means the person, committee, commission or council responsible for the review and/or final action on a land use entitlement.

“Right-of-way” means a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses.

“Rounding of quantities” means the consideration of distances, unit density, density bonus calculations, or other aspects of development or the physical environment expressed in numerical quantities which are fractions of whole numbers; the numbers are to be rounded to the nearest highest whole number when the fraction is .5 or more, and to the next lowest whole number when the fraction is .5, except as otherwise provided in this zoning code.

“Screened or screening” means shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting site, or outside the area, screened by a fence, wall, hedge, berm, or similar architectural or landscape feature that is at least 90% view obscuring.

“Setback” means the area between the setback line and property line.

“Setback line” is a line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required yard and governing the placement of structures and uses on the lot.

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“Sign” means any letter or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever placed for advertising, identification or other similar purposes on the ground or on any wall, post, fence, building, structure, vehicle or on any place whatsoever.

“Site” the land or area that is the subject of a development project or use, and may include more than one lot or parcel.

“Site area” means the net horizontal area included within the boundary lines of a site, not including the area within the established right-of-way of a public street, future public street, or railroad, or any other area dedicated or to be dedicated for a public use.

“Site plan” means a plan, prepared to scale, showing accurately and with complete dimensioning all of the buildings, structures, and uses and the exact manner of development proposed for a specific parcel of land.

“Slope” means the degree of deviation of a surface from the horizontal, usually expressed in percentage or degrees. “Solar facilities” means the airspace over a parcel that provides access for solar energy system to absorb energy from the sun.

“Specific plan” means a plan consisting of text, maps and other documents and exhibits regulating development within a defined area of the city, consistent with the General Plan and the provisions of Government Code Section 65450 et seq.

“Story” means that portion of a building included between the surface of any floor and the surface of any floor next above it, or if there be no floor above it, then the space between such floor and ceiling next above it.

“Street” means any public or private thoroughfare with a width of twenty feet (20') or more which affords a primary means of access to abutting property.

“Street, private” means a street in private ownership, not dedicated as a public street, which provides the principal means of vehicular access to a property and not to be construed to mean driveways, alleys, or parking areas.

“Street, public” is a street owned and maintained by the City, the County, or the State. The term includes streets offered for dedication which have been improved or for which a bonded improvement agreement is in effect.

“Structural Alterations” means any change in the supporting members of a structure such as the bearing walls or partitions, columns, beams, or girders.

“Structure” means anything constructed or built. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Structure, accessory” means a subordinate building which is incidental and not attached to the main building or use on the same lot. If an accessory building is attached to the main building or if the roof is a continuation of the main building roof, the accessory building shall be considered an addition to the main building. Includes structures regardless of whether a Building Permit is required, including, but not limited to, enclosed and unenclosed patios, barns, guesthouses, second dwelling units, garages, carports, storage buildings/sheds, trellis, gazebos, decks, and real or artificial rockscapes.

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“Structure, temporary” means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Target population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

“Temporary structure” is a structure without any foundation or footings, and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Temporary use” means a use established for a designated period of time, with the intent to discontinue the use at the end of the designated time period.

“Traffic safety sight area” means a space that is set aside on a corner lot in which all visual obstructions, such as structures and plantings, which inhibit visibility and thus cause a hazard to traffic and pedestrian safety are prohibited.

“Transient basis” means a continuous period of two (2) weeks or less.

“Underutilized land” means land with a structure or structures that occupy only a small portion of the land and is being used significantly below its potential use.

“Use” means the purpose (type or extent) for which land or a building is arranged, designed or intended or for which either land or a structure is occupied or maintained. “Use initiation” means the implementation of a use on a parcel or occupancy of a structure, or construction of substantial site improvements after a building permit has been issued, subject to determination by the director.

“Use, accessory” means a use which is incidental to, and customarily associated with, a specified principal use and which meets the applicable conditions set forth in this ordinance. “Use, allowed” means a use listed by the regulation of any particular district as a permitted use within that district and permitted therein as a matter of right when conducted in accord with the regulations established by this Ordinance.

“Use, conditional” means a use listed by the regulations of any particular district as a conditional use within that district and allowable therein, solely on a discretionary and conditional basis, subject to development/design review or to a Conditional Use Permit, and to all other regulations established by this Code.

“Use, principal” means a use which fulfills a primary function of a household, establishment, institution, or other entity. “Use, temporary” means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

“Variance” means a discretionary entitlement which permits the departure from the strict application of the development standards contained in this zoning code.

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“Vehicle” means self-propelled device by which persons or property may be moved upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

“Wildlands” means any area of land that is essentially unimproved, in a natural state of hydrology, vegetation and animal life, and not under cultivation. “Yard” means an open space that lies between the principal or accessory building or buildings and the nearest lot line.

“Zero Lot Line” means the location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

“Zoning certificate of occupancy” means a permit issued by the community development department which allows the occupancy of a structure which conforms to all applicable provisions of this chapter and any and all conditions or requirements issued by the city or any of its departments, or by any other federal, state or local agency or body.

“Zoning district” means a portion of the city within which certain uses of land and structures are defined, and regulations are specified.

