City Council Meeting
Agenda

July 2, 2024
7:00 PM – Regular Meeting
Council Chambers
400 N. Douty St.

Council Members will meet in-person in the Council Chambers. The meeting will also be lived streamed on the City's website: http://livestream.hanford.city/

4:00 PM CALL TO ORDER STUDY SESSION:

ROLL CALL BY THE CITY CLERK:

PUBLIC COMMENT:

Study Sessions are considered Special Meetings under the Brown Act. Accordingly, comments from the public are limited to items listed on the agenda (GC 54954.3a). Public Comment will be accepted during each agenda item. A maximum of ***three minutes*** *is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

STUDY SESSION:

A. Presentation and Discussion Regarding Regulations for Mobile Vendors

B. Presentation to Council regarding a variety of Zoning Ordinance Clean-Up Items and direction on future amendments.

CALL TO ORDER REGULAR SESSION:

ROLL CALL:

INVOCATION:

Pastor Mark Curts

FLAG SALUTE:

COUNCIL REPORTS/GENERAL REPORTS:

Brief information-only reports from City Council and/or Staff, including committee reports and reports by City Council related to meetings attended at City expenses (AB1234).

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters within the jurisdiction of the Hanford City Council. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (Gov. Code sec. 54954.2). A maximum of three minutes is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

A. Procedural Waiver: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title the only.

B. City Clerk: Appointment of Jim Nelson to the Planning Commission seat with a term ending on 12/31/2024 and Appointment of Bernardo Marez to the Alternate seat with a term ending on 12/31/2026.

C. Administration: Authorization for the City to accept an FAA Grant Agreement, once the original is received, for the Hanford Municipal Airport, in the amount of $157,500 for the preparation of a Pavement Maintenance Management Plan and Authorization for the Airport Manager to execute the Grant Agreement and appropriation of $170,000 in the Airport Fund.

D. Parks and Community Services: Approval of a Change Order to increase the fiscal year 2023/2024 Purchase Order limit with CleanCut Landscape by $17,000.50 to provide landscaping services for Landscape Assessment Districts (LAD) for a total contract amount of $60,365.02.

E. Utilities and Engineering: Suggested Routes to School for Hanford Elementary School District, Pioneer Union Elementary School District, and Saint Rose-Thomas McCarthy Catholic School for the 2024-2025 school year.

F. Utilities and Engineering: Award of a construction contract to W.M. Lyles of Fresno, CA, in the amount of $264,800, and additional Appropriation of $300,000 from the Wastewater Fund (2073, CIP #824011) for the installation of a submersible stand-by pump for use at the Wastewater Treatment Facility.

G. Finance: Adoption of the City of Hanford fiscal year 2024-25 Investment Policy

H. Council: Introduction of Ordinance No. 24-06 amending Chapter 3.28 of the Hanford Municipal Code to allow for the reestablishment of the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code with the addition of language regarding the board composition and how the members shall be appointed.

PUBLIC HEARING:

A. Parks and Community Services: A public hearing to consider the Adoption of Resolution 24-22-R Ordering the Levy and Collection of Assessments as outlined in the 2023/2024 Annual Engineer's Report, which has been prepared pursuant to Chapter 3 of the Landscape and Lighting Act of 1972. The proposed assessments outlined in the

Engineer's Report are less than or equal to the authorized maximum assessment for each Landscape Assessment District.

GENERAL BUSINESS:

A. Administration: Authorization for the City Manager, with the concurrence of the City Attorney, to enter Into an Agreement with Badger Meters for the Citywide Purchase and Installation of Water Meters, in an Amount Not to Exceed $16.5 million, to be funded out of the Water Fund.

B. Community Development: Authorization to Execute an Agreement with Perkins & Will, for an Amount Not to Exceed $649,528, for the Kings-Tulare HSR Station TOD & Connectivity Plan & CVC Rail Service Planning, Funded via a Sustainable Communities Grant, which Council previously approved the application and acceptance of.

C. Finance: Approval of an additional Appropriation of $905,066 in the General Fund and $7,875,773 across all Other Funds for the Mid-Cycle Amendment to the 2024-25 Fiscal Year Budget

D. Council: Adoption of Resolution 2024-21-R calling for the holding of a general municipal election to be consolidated with the statewide general election to be held on Tuesday, November 5, 2024; Introducing an ordinance enacting a 1 cent transactions and use (sales) tax to be administered by the State Department of Tax and Fee Administration; and ordering the submittal of the ordinance to the voters at the general election.

ITEMS FOR FUTURE AGENDAS:

At this time, any Council Member may ask a question for clarification or may request a matter, which is not otherwise scheduled on a City Council agenda, to be placed on a future agenda. The Council Member referring the item shall provide sufficient information as to the nature of the item. The City Council, by concurrence of a majority, may direct the City Manager to put the item on a future agenda. (GOV. CODE SEC. 54954.2)

A. Council Future Agenda Items

B. Upcoming Events and Important Dates:

July 4: City offices closed in observance of Independence Day.
July 15 - August 9: Candidate Filing Period for Districts B and C - Kings County Election Information
July 16: Regular City Council Meeting

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: 7/2/2024	**AGENDA SECTION:** STUDY SESSION

SUBJECT:
Presentation to Council regarding a variety of Zoning Ordinance Clean-Up Items and direction on future amendments.

RECOMMENDATION:

That the City Council receive the first of several presentations on a variety of proposed Zoning changes and provide direction to staff as applicable.

BACKGROUND:

Staff will provide Council with a summary of and seek direction for several changes and/or corrections needed in the City's Zoning Ordinance. Staff is requesting authoriztion to revise and update accordingly.

ATTACHMENTS:
1. Study Session - Report of former determinations_Remaining list
2. 05062024 Zoning Ordinance June 1 2017
3. 05062024 New Definitions

Council Direction Requested:

1. Additional Industrial Uses and definitions: currently limited classifications, the proposal builds on the number of uses allowed and adds express list, instead of relying on the definitions. Generally speaking, appropriate limited manufacturing uses will be permitted with a CUP in C-S so staff can evaluate for noise, odor, traffic and require conditions, as well as allow public notice of the project before Planning Commission.

2. Address tobacco or smoke shops: currently permitted in C-H, C-S, MX-C and MX-D, CUP in C-R; issues with excessive signage, consider enacting distance requirements

   Recommendation: add as permitted in C-H, eliminate from MX-D, change from P to C in MX-C; add regulations to Section 17.60, require same distance requirements as cannabis uses, require 600-ft distance from other smoke shops, similar stipulations related to locking products behind counter.

3. Hookah Lounge – we have received requests for Hookah Lounges/Bars. Currently, there isn't a mechanism to allow them through ordinance. The use is loosely similar to tobacco or smoke shop:

   "Tobacco or smoke shop" means an establishment that provides tobacco products or tobacco related paraphernalia in an area greater than forty percent (40%) of its total available retail floor space. (I30)

   Chapter 8.16, prohibits smoking in all enclosed public spaces including retail stores. There is exception for private clubs and cigar bars, defined as:

   "Cigar bar/lounge" means a business that exclusively caters to patrons who smoke cigars.

   "Private club" means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501."

   Lounges are permitted by ordinance, but cigar bars are not expressly addressed.

   Need direction from Council on this use – do we want to permit?

4. Accessory Structure Definition and Setbacks

   Lawnmower sheds, under six feet

Playground equipment setbacks and exemptions, exceeds accessory structure standards, required to meet standard setbacks

5. Mechanical Equipment setbacks: Proposal – allow closer encroachment into setback within certain decibel? Allow 3 feet from the side and rear property line. Currently, depends on the neighboring side property line.

6. Should block walls be required between multi-family and single-family? Suggestion: apartments over 10 units?

7. Address Feather Signs – Staff recommendation to prohibit

   17.56.050 Prohibited signs.

   19. Eliminate feather signs as permitted signage in the City.

8. **I6:** Boat, recreational vehicle (RV), and truck sales;

   Suggestion: add as a permitted use to C-R Regional Commercial, in order to generate sales tax

	Commercial, Office, and Industrial Use Table P = Use is Permitted by Right C = Use Requires Conditional Use Permit A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit Blank = Use is Not Allowed															
		Commercial Zones				**Mixed Use Zones**			**Industrial and Office Zones**				**Other Zones**			
	Land Uses	**C-N**	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
I3	Auction or sales yard			C							C					
I4	Automobile and pick-up sales, new and used			P	P			P								17.60.140
I5	Automobile and pick-up sales, used only			P	P											17.60.140
	Automobile/motorcycle parts (retail), no installation	P	P	P	P	P	P	P								
I6	Boat, recreational vehicle (RV), and truck sales		P	P	C											

17.60.070 Drive-Thru pick-up windows:

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.

Suggestion: Eliminate the option to provide separation between residential uses using landscaped areas, require the separation be provided by building or 36" block wall. It is difficult to require landscaped areas to be maintained in perpetuity. The minimum height shall be 36 inches to reduce headlight glare.

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 1/2 acre in size or in a group of adjoining parcels with reciprocal access easements that collectively are equal to or greater than 1/2 acre in size.

Suggestion: Eliminate the additional requirement, since parcels are already limited through their ability to provide for necessary setbacks/stacking

Code Enforcement/Property Maintenance:

Recommendation to add:

1. Address tarps

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.

Suggestion: Add restriction:

Tarps for roof and building repairs shall be prohibited, except for emergency repairs. Additionally, the use of tarps for temporary canopies, enclosures, and/or awnings is prohibited in any front yard area visible from any public right of way.

2. Address property maintenance issues for ease of enforcement

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;

~~1.~~2. Any provision of the Hanford Municipal Code;

~~2.~~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 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.

Suggestions: Add

A. It is unlawful for any owner of real property located in the city, and for any tenant, occupant, or user of real property therein, to maintain, permit, or allow graffiti to exist thereon, for longer than forty-eight (48) hours.

~~A.~~B. Vehicles Or Equipment: Construction equipment, buses, limousines, tow trucks, flatbed trucks, grading equipment, tractors, tractor trailers, any other commercial vehicle over twenty-two feet (22') long or eight feet (8') in height or ninety inches (90") wide, supplies, materials, or machinery of any type or description, parked or stored upon any street or property within a residential zone.

a. "Commercial vehicle", for the purposes of this section, shall be defined as any motorized or nonmotorized vehicle used or maintained to transport property or goods for profit, or persons for hire or compensation.

C. Basketball Hoops: It shall be unlawful to place, store or leave unattended any portable basketball hoop on a public sidewalk, public street, or any portion of the City right-of-way.

~~B.~~D. Numbering Required (Addresses): Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background and shall not be less than 4" in height. House numbers shall not be obstructed in any fashion.

Edits Proposed by Staff: Direction not required, unless Council wishes to discuss

1. Changing from landscape easements to landscape lots for CFDs: Suggestion to use landscape lots instead of easements for easier conveyance with CFDs instead of LIDs; require a 7-ft fence height.

   D. Lots developed adjacent to an arterial or collector street are to be designed as walled or fenced back-on or side-on lots with a minimum five (5) and maximum ten (10) foot wide landscape ~~easement~~ **lot** continuous and adjacent to the street right-of-way line. The minimum lot dimensions are to be exclusive of the **required** landscape **lot** ~~easement~~ area. The wall or fence shall be **seven feet high** located in the landscape ~~easement~~ **lot** area adjacent to the **residential property line**. ~~easement line.~~

2. (I29) "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)

   Permitted in C-S, MX-C, and a CUP in O and O-R

   Suggestion: change to permitted, subject to a home occ where in conjunction with residential use, since this type of use would be permitted as a home occ.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	**Commercial Zones**				**Mixed Use Zones**			**Industrial and Office Zones**				**Other Zones**			
		C-N	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
I29	Retail sales solely via internet, direct mail, or telephone			P		**P**	P	**P**	**P**	**P**						**17.78 Home Occupation Permit Required in conjunction with residential use**

3. Address Medical Spas: recommendation, permit as separate category and definition, or add to the medical office definition; Address out-patient facilities, or permit wherever medical offices are permitted

4. Add Motor vehicle window tinting as a permitted use wherever minor motor vehicle repair is permitted or conditionally permitted

5. RV parking setbacks: Fire concerns, Visibility concerns when exiting driveway

6. Tandem Parking Requirements – not listed in ordinance, proposed language: Tandem parking.

   Required parking may be provided in tandem for residential land uses with the following restrictions:

   - Tandem parking shall not be more than two (2) cars in depth.
   - Both tandem spaces shall serve the same dwelling unit.
   - For multi-family residential dwellings, tandem parking may be provided to meet up to fifty (50) percent of the required parking space

7. Not all uses need common outdoor, shaded sitting areas - suggestion: allow SPR Committee to determine if it is necessary for the use: New developments shall provide a common outdoor, shaded sitting area for use by customers, **unless the Site Plan Review Committee determines the use does not require the shaded open space**. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area. Develop a list of uses that would require shaded open space: commercial uses providing food products, … (add to Section 17.50)

8. 17.10.110 Driveways

   Suggested deletion, this requirement doesn't always make sense: On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.

K. Limit wall height in non-residential zones? Minimum wall height of 7 feet required, no maximum established

   A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

   The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall. (Ord. 17-04, 2017)

L. Establish where the sight-triangle is measured from? Property line? Back-of-curb? "or maintained within the twenty-five (25) feet corner sight triangle of a corner lot,"

M. Add language clarifying landscaping requirements in OR

   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, **except where the parking area directly abuts the building, or where the parking area is covered by a garage or carport**. 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, **except where a lesser parking setback is permitted by the zone district.**

N. 17.68.090

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.

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.

Recommendation*: Change to exempt, requiring only a building permit.*

B. 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~~ **if the setback is equal to at least twice the structures height. For example: a 100-foot WCF would be required to be setback 200 feet from 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 ~~if the height of the WCF is less than twice the distance of the antenna/tower to the nearest lot line~~ **if the setback is equal to at least twice the structures height. For example: a 120-foot WCF would be required to be setback 240 feet from the nearest lot line.**

Study Session Items

Summary of Direction from December 5, 2023 Study Session:

1. 17.04.050 Rules of measurement.

   G. Where there is a grade difference on either side of a fence or wall, the minimum height of the fence or wall shall be measured on the shorter side.

   This differs from Section **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.

   Suggestion: Measure height taking the average elevation. For example if you have a fence that is 8 feet, measured from the ground on one side, and 6 feet, measured from the ground on the other side – the fence height is determined to be 7 feet.

   Direction: Move forward as suggested

2. Parking in setbacks for multi-family projects? Multiple variances allowed, parking not permitted in 25-ft 2-story setback area for apartments. Recommendation – 5-ft setback for parking spaces/covered and uncovered;

   Suggestion: For multi-family projects providing 10 units or more, required parking spaces, covered and uncovered, shall be located a minimum of five (5) feet from any rear or side property line and 10 feet from a street-side property line.

   Direction: Move forward as suggested

3. AirBnBs, night-to-night and short-term rentals? Current determination: We do not have a mechanism to allow for an Airbnb being rented on a nightly basis. The closest thing we have is a bed and breakfast, which requires a conditional use permit in the R-M Medium-Density Residential, ¬¬C-H Highway Commercial, MX-C Corridor Mixed Use, MX-D Downtown Mixed Use, and O-R Office Residential zone districts.

   "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 rate. Alcoholic beverages served to overnight guests typically requires an ABC Type 67 license (2) (H2).

   17.60.040 Bed and breakfast inns.

   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;

   Food service at bed and breakfast inns shall be allowed for registered guests only, unless the use also qualifies as a restaurant.

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.

A bed and breakfast would require a business license.

Any person staying somewhere longer than two weeks is a renter. Finance does not have a license required for renting a room for longer than two weeks.

Suggested Ordinance Amendments:

City of Redondo Beach – short-term rentals banned

(City of Los Gatos) – permitted
https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH14LIMIBURE_ARTXIVSHRMRE

Direction: Bring back sample ordinances allowing short-term rentals

4. Differing break-downs between industrial uses in online vs PDF ZO:

Online:

D6	Industrial or manufacturing facility, heavy											P				
D7	Industrial or manufacturing, light										P	P				

PDF:

D6	Industrial or manufacturing facility, general											P				
	Industrial or manufacturing, intensive											C				
D7	Industrial or manufacturing facility, limited										P	P				

"Industrial or manufacturing facility, General" 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)

"Industrial or manufacturing facility, intensive" means a facility that regularly uses hazardous chemicals or procedures or produce hazardous by products, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This subcategory also includes biomass energy conversion, chemical manufacturing, animal food manufacturing, petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, and traffic.

"Industrial or manufacturing facility, limited" 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)

5. Do we want to change ADUs to permitted by right, requiring only SPR? State Law allows us to continue to require ministerial review; site plan required for addition of one unit

   Direction: Allow ADU by right; no administrative approval required

6. Should we eliminate (34) Guest House? Address ADU only? Current guest house definition: "Guest house" means living quarters without a kitchen, located on the same premises with a main residence. (34)

   Direction: Eliminate Guest House category

7. (31) Building ancillary to the main residential use – do we want to create a sq. ft. cap? Large shops being proposed, can be larger than primary residence – do we want to allow this still? Do we want to limit sq. ft. to a percentage at the time of construction? (example: 2,000 sq. ft. home, ancillary structure shall be limited to 50% of sq. ft. of primary residence, except when proposing an ADU? Limit to 100%?, cannot be larger?

   Ancillary is not defined in the HMC, add ancillary reference to accessory:

   Building ancillary to the main residential use. See Accessory building or structure. (31), (A20)

   "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. (31) (A20)

   Direction: Bring back tiered allowances of square footage based on lot size, look at coverage maximums; allow ancillary reference to accessory

Lot Size	Square Footage of Residence	% of Primary Residence

		100%, lots exceeding 1 acre may construct up to 150% of primary residence

8. *"*Electric vehicle recharging facility*"* means one (1) 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); A required, suggestion: change to P

   Gov. Code § 65850.7(g)(1) requires the City to adopt an ordinance that is consistent with the statute and that "creates an expedited, streamlined, permitting process for electrical vehicle charging stations." **Ordinance addressing EV Charging Stations required**

   Direction: move forward as permitted use

9. (A15) Outdoor advertising structure listed as not permitted; the definition of 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); should we change to read Billboard, so it is easily identifiable?

   Direction: Change to read "Billboard"

10. Should Auditorium and Conference Centers be permitted in the same zones? (similar definitions)

Table 17.08.030

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	**Commercial Zones**				**Mixed Use Zones**			**Industrial and Office Zones**				**Other Zones**			
		C-N	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
C1	Auditorium						P	P						P		
C6	Convention or conference center				P		P	P								

"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)

"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 (1) 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)

Direction: Allow both uses in the zones they are both allowed in (combined): C-H, MX-C, MX-D, and PF

11. Club, lodge, or private meeting hall, suggestion, add event space to list. There is not definition in the PDF version of the ordinance, but there is online:

    "Club, lodge, event space, 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)

    Direction: Add as suggested

12. (C15) Theater, live or movie permitted in C-R and MX-D. Suggestion, add Theater, live or movie with incidental alcohol sales as a CUP in C-R and MX-D requiring ABC Type 41 or 47.

    Direction: Allow incidental alcohol sales associated with a theater as a CUP in C-R and MX-D.

13. (E3) There is not a definition for communications broadcasting or media studio in the ordinance. Proposed definition: "Communication broadcasting or media studio" means commercial telecommunications transmission facilities and studios that create broadcasting or media content outside of an office environment, including but not limited to radio, television or Internet broadcasting facilities, audio rehearsal or recording studios, motion picture studios, sound stages, special effects studios, and similar uses. Excludes public utility and wireless communication facilities. (E3)

    Direction: Move forward as suggested

14. (H7) Live/Work Facilities: Permitted in C-S, MX-N, MX-C, MX-D and O-R;
    (H14) Residential dwelling located in same building with office or commercial use:
    CUP in C-S, P in MX-N, MX-C, MX-D, O-R and AP

    "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)

    "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)

    Suggestion: Combine definitions or eliminate both and only permit residential where expressly permitted (single- and multi-family); mixed use permitted where both are allowed;

    Direction: Remove definition of both

15. (H13) Residential Care Facility permitted in MX-C, MX-N, MX-D and O-R, limits for number of occupants not established – in the residential zones: up to 6 persons permitted, 7 or more persons requires CUP

    Direction: move forward as suggested

16. (I1) Adult Entertainment Establishments, per the Land Use Table permitted with Administrative Approval in C-R, C-S, and MX-C, per the regulations set forth in Section 17.62. Should a CUP be permitted to allow public notice and input?
    (discrepancy)

    A. All adult entertainment establishments as listed in subsection A of this section shall only be permitted within any **C-R, C-S, and MX-C** 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.**

    Direction: Change to CUP in Land Use Table

17. (I4 and I5) Automobile and pick-up sales, new and used; Automobile and pick-up sales, used only "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); suggestion add a 40/60 majority new requirement to differentiate between categories.

    The ratio is appropriate in order to carry out the spirit of the "new and used" sales use described in row I4 of Table 17.08.030 of Hanford Municipal Code Title 17. In other words, it would be unreasonable to interpret the Municipal Code to allow a business to sell one or a few new cars each year in order to operate a large used car sales business.

    "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)

    Direction: Bring back to Council

18. Add a category for Automobile/motorcycle parts (retail), no installation – permit wherever retail is permitted

    Direction: move forward as suggested

19. (I9) Farm or construction equipment sales or service: There isn't a definition in the ordinance. Recommendation – permit in I-H, I-L

    Proposed definition: Farm or construction equipment sales or service means an establishment selling, renting or repairing agricultural and construction machinery, equipment, and supplies for farm or construction uses. This use can include indoor and outdoor storage yards. Outdoor storage yards shall be screened from public view.

Direction: Permitted in C-S, CUP in C-H; leave as indoor and outdoor, rely on screening;

20. (I10) Farmers Market – permitted with an administrative approval in C-R, C-S, MX-D recommendation, change to T, the Thursday Night Market is in the public ROW, not on private property – therefore an AA and TUP are not obtained; "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)

    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. Farmers markets.

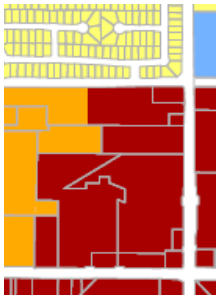
    Direction: Change to T

21. (I13) Food Produce Stands – permitted in multiple zones with an A. "Food produce stand" means an area or building set aside for the sale of agricultural produce that is grown primarily on the site.

    "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)

Zoning Ordinance

City of Hanford



Effective June 1, 2017

Last Printed 07/11/2017

CITY OF HANFORD
MUNICIPAL CODE
TITLE 17

ZONING ORDINANCE

Effective June 1, 2017

Last Printed 07/11/2017

Title 17
ZONING

		Page No.
Chapter 17.02	GENERAL PROVISIONS	1
Chapter 17.04	CONSTRUCTION AND TERMINOLOGY	4
Chapter 17.06	ZONE DISTRICTS AND ZONING MAP	7
Chapter 17.08	LAND USE TABLES	10
Chapter 17.10	LOW DENSITY RESIDENTIAL ZONES	46~~39~~
Chapter 17.12	MEDIUM DENSITY RESIDENTIAL ZONE	53~~46~~
Chapter 17.14	HIGH DENSITY RESIDENTIAL ZONE	60~~53~~
Chapter 17.16	NEIGHBORHOOD COMMERCIAL ZONE	66~~59~~
Chapter 17.18	REGIONAL COMMERCIAL ZONE	69~~62~~
Chapter 17.20	SERVICE COMMERCIAL ZONE	72~~65~~
Chapter 17.22	HIGHWAY COMMERCIAL ZONE	75~~68~~
Chapter 17.24	NEIGHBORHOOD MIXED USE ZONE	78~~71~~
Chapter 17.26	CORRIDOR MIXED USE ZONE	82~~74~~
Chapter 17.28	DOWNTOWN MIXED USE ZONE	85~~77~~
Chapter 17.30	OFFICE RESIDENTIAL ZONE	88~~80~~
Chapter 17.32	OFFICE ZONE	94~~86~~
Chapter 17.34	LIGHT INDUSTRIAL ZONE	97~~89~~
Chapter 17.36	HEAVY INDUSTRIAL ZONE	101~~93~~
Chapter 17.38	PUBLIC FACILITIES ZONE	105~~96~~
Chapter 17.40	AIRPORT PROTECTION ZONE	109~~99~~
Chapter 17.42	CONSERVATION ZONE	113~~103~~
Chapter 17.44	AIRPORT OVERLAY ZONE	116~~106~~
Chapter 17.46	RESERVED ~~DOWNTOWN EAST OVERLAY ZONE~~	120~~110~~
Chapter 17.48	HISTORIC OVERLAY ZONE	120~~113~~
Chapter 17.50	DEVELOPMENT STANDARDS	137~~130~~
Chapter 17.52	LANDSCAPE STANDARDS	149~~141~~
Chapter 17.54	PARKING AND LOADING STANDARDS	152~~144~~
Chapter 17.56	SIGNS AND OUTDOOR ADVERTISING STRUCTURES	163~~155~~

Chapter 17.60 SPECIFIC LAND USE STANDARDS 187178
Chapter 17.62 ADULT ENTERTAINMENT ESTABLISHMENTS 198191
Chapter 17.68 WIRELESS COMMUNICATION FACILITIES AND TOWERS205199
Chapter 17.68 WIRELESS COMMUNICATION FACILITIES AND TOWERS205199
Chapter 17.69 COMMERCIAL CANNABIS-RELATED USES AND ACTIVITY 208

Chapter 17.70 PERMITS AND APPLICATIONS 216208
Chapter 17.72 SITE PLAN REVIEW PERMITS 224216
Chapter 17.74 ADMINISTRATIVE USE PERMITS 224216
Chapter 17.76 TEMPORARY USE PERMITS 230222
Chapter 17.78 HOME OCCUPATION PERMITS 234225
Chapter 17.80 CONDITIONAL USE PERMITS 237229
Chapter 17.82 PLANNED UNIT DEVELOPMENT PERMITS 239231
Chapter 17.84 VARIANCES AND MINOR DEVIATIONS 242234
Chapter 17.86 ZONING ORDINANCE AMENDMENTS 245237
Chapter 17.88 GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS 247239

Chapter 17.90 NONCONFORMING USES, STRUCTURES, AND LOTS 249241
Chapter 17.92 REASONABLE ACCOMMODATION 253245
Chapter 17.94 ENFORCEMENT 258250
Chapter 17.96 DEFINITION OF LAND USES 267258
Chapter 17.98 DEFINITION OF TERMS 285276

Chapter 17.02
GENERAL PROVISIONS

Sections:

17.02.010 Adoption.
17.02.020 Purposes and objectives.
17.02.030 Short title.
17.02.040 Components.
17.02.050 Authority.
17.02.060 Relationship to the general plan.
17.02.070 Relationship to specific plans.
17.02.080 Relationship to design guidelines.
17.02.090 Relationship to other titles of the municipal code.
17.02.100 Conflict between regulations.
17.02.110 Application.

17.02.010 Adoption.

There is adopted, as provided in this title, a zoning ordinance for the city of Hanford, state of California, which is a part of the Hanford Municipal Code.

17.02.020 Purposes and objectives.

The zoning ordinance is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare of the citizens of Hanford. More specifically, the zoning ordinance is adopted to achieve the following objectives:

A. To provide a zoning map and associated regulations to guide the physical development of the city in such a manner as to progressively achieve the general arrangement of the land uses described and depicted in the Hanford General Plan;

B. To foster a wholesome, serviceable and attractive living environment, the beneficial development of areas that exhibit conflicting patterns of use, and the stability of existing land uses that conform with the objectives, policies, principles and standards of the General Plan;

C. To prevent excessive population densities and the overcrowding of land with structures;

D. To promote a safe, effective traffic circulation system, the provision of adequate off-street parking and truck loading facilities, and the appropriate location of community facilities;

E. To protect and promote appropriately located commercial and industrial activities in order to preserve and strengthen the city's economic base;

F. To protect and enhance real property values and the city's natural assets;

G. To ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with the objectives and policies of the General Plan; and

H. To provide and protect open space in accordance with the policies of the Open Space Element of the General Plan;

17.02.030 Short title.

This title shall be known as the "zoning ordinance." The words "code" and "ordinance" as used in this title shall have the same meaning.

17.02.040 Components.

The zoning ordinance shall consist of a zoning map designating certain districts and a set of regulations controlling the uses of land; the density of population; the uses and locations of structures; and the height and bulk of structures. It shall also consist of the open spaces about structures; the appearance of certain uses and structures; the areas and dimensions of sites; the location, size and illumination of signs; and number of design off-street parking and off-street loading facilities.

17.02.050 Authority.

This title is adopted pursuant to the provisions of the Planning and Zoning Law, Title 7 of Government Code ~~Section 65000~~ of the State of California.

17.02.060 Relationship to the general plan.

The zoning ordinance is the primary tool used to implement the goals and policies contained within the General Plan. All matters governed by this title shall substantially conform to the purposes, intent or provisions of the General Plan. Any recommendations for zone changes, if found to be not in conformance with the General Plan and its phrasing, shall not be permitted unless it is also found that the General Plan is in error or in need of change. In this situation, the General Plan must also be amended to maintain consistency between the General Plan and the zoning ordinance.

17.02.070 Relationship to specific plans.

Specific plans are designed to meet the requirements of the State Government Code and the General Plan. All uses, buildings, or structures located within a specific plan area shall comply with the provisions of the applicable specific plan. Where such provisions conflict with the zoning ordinance, the requirements of the adopted specific plan shall take precedence over the zoning ordinance. In instances where the specific plan is silent, the zoning ordinance shall prevail.

17.02.080 Relationship to design guidelines.

Design guidelines are intended to supplement the general design and development regulations located in the zoning ordinance. Conformance to the design guidelines is strongly encouraged, but not mandatory. The design guidelines represent the City's preferences and provide examples of appropriate, quality design that positively contribute to the character of the community, but they are not intended to preclude alternatives or restrict imagination. In the event there is a conflict between the zoning ordinance and the design guidelines, the regulations in the zoning ordinance shall prevail.

Commented [TM1]: Does the City have design guidelines?

Commented [GM2R1]: no

17.02.090 Relationship to other titles of the municipal code.

No provision of this title is intended to abrogate, repeal, annul, impair or interfere with any existing ordinance of the City. Where this title imposes greater restrictions or regulations than are imposed or required by an existing ordinance, deed restriction, covenant, easement or agreement between parties, this title shall control.

17.02.100 Conflict between regulations.

Any conflicts between requirements of this title, or between this title and other regulations, shall be resolved as follows:

A. In the event of any conflict between the provisions of this title, the most restrictive requirement shall control.

B. In the event of any conflict between the requirements of this title and standards adopted as part of any ~~development agreement or~~ specific plan, the requirements of the ~~development agreement or~~ specific plan shall control.

Commented [TM3]: The terms of a development agreement do not override the zoning ordinance.

C. In the event of any conflict between requirements of this title and other regulations of the City, the most restrictive requirement shall control, as determined by the City.

D. It is not intended that the requirements of this title shall interfere with, repeal, abrogate or annul any easement, covenant, or other agreement that existed when this zoning ordinance became effective. This zoning ordinance applies to all land uses and development regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than an applicable private agreement or restriction, without affecting the applicability of any agreement or restriction. The City shall not enforce any private covenant or agreement unless it is a party to the covenant or agreement. Where a requirement of a private covenant or agreement directly conflicts with a requirement in this title, the City shall enforce the requirements of this title.

17.02.110 Application.

To the extent permitted by applicable law, this title shall apply to all property, whether owned by private persons, firms, corporations or organizations; by the United States of America or any of its agencies; by the state or any of its agencies or political subdivisions; by any county or city, including the City of Hanford, or any of its agencies; or by any authority or district organized under the laws of the state, except for exemptions specifically allowed by state and federal laws or amendments thereto.

Chapter 17.04
CONSTRUCTION AND TERMINOLOGY

Sections:

17.04.010 Construction.
17.04.020 General terminology of persons and entities.
17.04.030 Rules of interpretation.
17.04.040 Record of interpretations.
17.04.050 Rules of measurement.
17.04.060 Multiple decisions.

17.04.010 Construction.

The following rules of construction shall apply in this title, unless inconsistent with the plain meaning of the context of this chapter:

A. The present tense includes the past and future tenses; and the future tense includes the present.

B. Words used in the singular shall include the plural, and words used in the plural shall include the singular.

C. In the event there is any conflict or inconsistency between the heading of a chapter, section or subsection of this title and the context thereof, such heading shall not be deemed to affect the scope, meaning or intent of such context.

D. The words “shall,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended; and “may” is permissive. “Shall not” and “may not” are always restrictive.

E. The words “zone district,” “zoning district,” and “zone” shall have the same meaning.

F. Whenever a number of days are specified in this title, or in any permit, condition of approval, or notice issued or given as provided in this title, the number of days shall be construed as calendar days, unless business days are specified. Time limits will extend to the following business day where the last of the specified number of days falls on a day that the city is not open for business, except as otherwise provided for by other state and federal laws, regulations, and agencies.

G. Whenever a time limit in this title is specified in months, the number of months shall be deemed to be consecutive months.

H. When a provision of this title refers to a requirement elsewhere, the subject of the cross reference is assumed to be another chapter, Section, or subsection of this title, or another provision within the same Section or chapter, unless the title of another document is provided.

I. The provisions of this title are held to be minimum requirements, except where they are expressly stated to be otherwise.

17.04.020 General terminology of persons and entities.

A. "Applicant" means the property owner or his/her authorized agent or contractor who is requesting approval of a project.

B. "Building Official" means the Building Official of the City of Hanford, or his/her designee.

C. "City" means the City of Hanford, California.

D. "City Council" and "Council" mean the City Council of the City of Hanford.

E. "City Engineer" means the City Engineer of the City of Hanford, or his/her designee.

F. "Community Development Director" means the Community Development Director of the City of Hanford, or his/her designee.

G. "Planning Commission" means the Planning Commission of the City of Hanford, duly appointed in accordance with Section 2.20.030 of the Hanford Municipal Code.

H. "Person" means person, firm, corporation, or organization.

17.04.030 Rules of interpretation.

A. The Community Development Director shall have the responsibility and authority on a staff level to interpret the meaning and applicability of all provisions and requirements of this title.

B. A request for an interpretation or determination shall be filed with the Community Development Director and shall include all information required by the City.

C. The Community Development Director has the option of forwarding any determination of the meaning or applicability of any provision of this title directly to the Planning Commission for consideration.

D. The issuance of an interpretation shall include findings stating the basis for the interpretation. The basis for an interpretation may include technological changes or new industry standards. The issuance of an interpretation shall also include a finding documenting the consistency of the interpretation with the General Plan, and any applicable Specific Plan.

E. Any affected person may appeal the interpretation of the Community Development Director or the Planning Commission to the City Council. If appealed, ~~the~~ a hearing officer designated by the City Council shall then make the final interpretation.

17.04.040 Record of interpretations.

A. Interpretations shall be written and shall quote the provisions of this title being interpreted, and the applicability in the particular or general circumstances that caused the need for the interpretation.

B. The Community Development Director shall maintain a complete record of all interpretations indexed by the number of the chapter or section that is the subject of the interpretation.

17.04.050 Rules of measurement.

A. For all measurements and calculations, the applicant shall be responsible for supplying drawings accurately illustrating the measurements that apply to a project. These drawings shall be drawn to scale and shall include sufficient detail to allow easy verification upon inspection by the City.

B. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement shall be made at the closest or shortest distance between the two objects.

C. Distances are measured along a horizontal plane unless otherwise specified.

D. Measurements involving a structure are made to the closest wall of the structure, unless otherwise specified.

E. When measuring the distance between two different uses, the measurement shall be made from closest lot line to lot line.

F. When measuring height, the measurement shall be the vertical distance from the highest point to the ground level directly below, except as otherwise specified.

G. Where there is a grade difference on either side of a fence or wall, the minimum height of the fence or wall shall be measured on the shorter side.

H. Minimum lot width shall be measured at the front setback line, or from the front property line if there is no required setback, as determined by the zoning of the lot.

I. Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

J. Required yard space 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, required front yards shall be measured from the precise street plan line.

17.04.060 Multiple decisions.

Where a project requires multiple decisions by the Planning Commission and City Council, the Planning Commission decisions on such project shall not be final, but shall be advisory to the City Council, which shall be vested with the final decision making powers pertaining to the project.

Commented [Gd4]: This differs from Section **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.

Commented [TM5R4]: There should be a consistent approach to measuring height unless there is a significant reason for use of varying approaches.

Commented [GM6R4]: Council decided to proceed with Section 17.50.180

Chapter 17.06
ZONE DISTRICTS AND ZONING MAP

Sections:

17.06.010 Purpose.
17.06.020 Applicability.
17.06.030 Establishment of zone districts.
17.06.040 Establishment of zoning map.
17.06.050 Interpretation of zone boundary lines.
17.06.060 Zone changes.
17.06.070 Prezoning.
17.06.080 Right-of-way abandonment.

17.06.010 Purpose.

The purpose of this chapter is to establish zone districts and a zoning map to classify, regulate, restrict and segregate the uses of land and buildings, to regulate and restrict the height and bulk of buildings and to regulate the area of yards and other open spaces about buildings, and to regulate the density of population.

17.06.020 Applicability.

The zoning districts are applicable in all areas of the City.

17.06.030 Establishment of Zone Districts.

A. Base zone districts establish the basic land use and property development regulations applicable to all property within the City, as provided in Section 17.02.110. Overlay zone districts provide additional regulations that are to be exercised over certain lands within the combining zone to meet special community health, safety, welfare, environmental or development objectives described by the General Plan or a specific plan. Overlay district regulations apply in addition to base district regulations and other regulations of this chapter.

B. The base zones are hereby established as follows:

1. Low Density Residential – 12,000 square foot minimum site area, abbreviated as R-L-12;
2. Low Density Residential – 8,000 square foot minimum site area, abbreviated as R-L-8;
3. Low Density Residential – 5,000 square foot minimum site area, abbreviated as R-L-5;
4. Medium Density Residential, abbreviated as R-M.
5. High Density Residential, abbreviated as R-H.
6. Neighborhood Commercial, abbreviated as C-N.

7. Regional Commercial, abbreviated as C-R.
8. Service Commercial, abbreviated as C-S.
9. Highway Commercial, abbreviated as C-H.
10. Neighborhood Mixed Use, abbreviated as MX-N.
11. Corridor Mixed Use, abbreviated as MX-C.
12. Downtown Mixed Use, abbreviated as MX-D.
13. Office Residential, abbreviated as OR.
14. Office, abbreviated as O.
15. Light Industrial, abbreviated as I-L.
16. Heavy Industrial, abbreviated as I-H.
17. Public Facilities, abbreviated as PF.
18. Airport Protection, abbreviated as AP.
19. Conservation, abbreviated as CO.

C. The overlay zone districts are hereby established as follows:

1. Airport Overlay District

~~2. East Downtown Overlay District~~

2.~~3.~~ Historic Overlay District

17.06.040 Establishment of zoning map.

A. In order to ensure that comprehensive zoning regulations may be applied uniformly to all incorporated territory upon adoption of this title, a zoning map is hereby established to delineate the location and boundaries of zone districts within the City. The zoning map is incorporated into this title by this reference with the same force and effect as if the boundaries, together with any notations, references, and information shown on the zoning map were specifically stated and described in this title.

B. The zoning map, together with such additional maps as may be adopted in accordance with the provisions of this title, shall be collectively known as the "City of Hanford Zoning Map."

C. The official copy of the zoning map shall be kept, maintained, and made available to the public by the Hanford Community Development Department. The zoning map may be maintained in hard copy and/or electronic formats.

D. All property within incorporated territory shall be delineated within a zoning district on the zoning map.

E. The location of zoning districts on the zoning map shall be consistent with the applicable policies and land use set forth in the General Plan.

17.06.050 Interpretation of zone boundary lines.

Whenever any uncertainty exists as to the boundary line between two zoning districts shown on the zoning map the following interpretations shall control:

A. Where a boundary line is indicated as following a street, alley, railroad right-of-way, drainage channel, or other watercourse, the center line of such street, alley, railroad right-of-way, drainage channel, or other watercourse shall be considered to be the boundary line.

B. Where a boundary line is indicated as following a lot line or property line, the boundary line shall be construed as following such lot line or property line.

C. Where a boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property line, the zone boundary line shall be determined by the use of the scale designated on the city's zone plan map.

D. Where further uncertainty exists, the Planning Commission, upon a written application from the owner of the property in question or on its own motion, shall determine the location of the zone boundary in question, giving due consideration to the location indicated on the city's zone plan map, the purposes and objectives of the zoning ordinance, and the applicable policies set forth in the General Plan.

17.06.060 Zone changes.

Changes to the zoning map shall be approved by ordinance of the City Council in accordance with Chapter 17.86.

17.06.070 Prezoning.

Territories proposed for annexation into the city shall be prezoned concurrent with the City Council initiation of annexation proceedings, in accordance with Chapter 17.86.

17.06.080 Right-of-way abandonment.

When a public street, alley or railroad right-of-way is abandoned, the abandoned territory shall immediately, and without any further action by the city, be assigned the zoning that is classified the same as the adjacent territory.

Chapter 17.08
LAND USE TABLES

Sections:

17.08.010 Land use restriction.
17.08.020 Residential land use table.
17.08.030 Commercial, office, and industrial land use table.
17.08.040 Addition of a use to land use tables.

17.08.010 Land use restriction.

No structure, or any part thereof, shall be erected, enlarged, or reduced, nor shall any site or structure be used, designated, or intended to be used for any purpose or in any manner other than ~~i~~as included among the uses listed in the land use tables in this chapter as permitted, administratively permitted, or conditionally permitted in the zone district in which such structure, land, or site is located, except as otherwise authorized by this title.

17.08.020 Residential land use table.

A. The following table identifies which land uses are permitted by right, require a use permit, or are not allowed in the R-L-12, R-L-8, R-L-5, R-M, and R-H zones.

B. A "P" means that the use is permitted by right in that zone. A "C" means the use requires a conditional use permit in that zone. An "A" means the use requires an administrative use permit in that zone. A "T" means the use requires a temporary use permit in that zone. A blank box means the use is not allowed in that zone. **Site Plan Review may be required, subject to the Applicability provisions set forth in Section 17.72.020.**

C. Land uses are grouped generally by type of use, and then listed alphabetically. The land use groups are Accessory and Support Uses; Residential Uses; and Other Uses. Use of the word "or" can mean either or both uses.

D. Land uses with specific land use standards shall meet the requirements found in the identified Section in the last column of the table.

E. Land within the Airport Protection Zone District shall also be subject to the standards found in the Airport Land Use Compatibility Plan.

Table 17.08.020

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
	Residential Uses						
1	Assisted living, skilled nursing, or hospice facility	C	C	C	C	C	
2	Bed and breakfast inn				C		17.60.040
3	Boarding house or rooming house			C	C	C	
4	Emergency shelter				C	C	
5	Employee housing for six (6) or fewer employees	P	P	P	P	P	
6	Hotel or motel						
7	Manufactured home on permanent foundation	A	A	A	A	A	17.60.090
8	Mobilehome, not within a mobilehome park						17.60.090

Commented [Gd7]: We need to address Airbnb's Should we allow?

Commented [JW8R7]: I think we should allow since we cannot stop them. An ordinance will give us some guidelines/enforcement mechanisms.

Commented [GM9R7]: Council directed us to allow short term rentals, will look at ordinances to guide

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
9	Mobilehome park (two or more mobile homes or manufactured dwellings on a site; 5 acre minimum)				C		17.60.100
10	Multi-family dwelling, two (2) units per building (duplex)	P	P	~~C~~P	P	P	17.10.020 – only permitted ~~on corner lots in R-L-5~~ in single-family zone districts if the requirements of Government Code Section 65852.21 are satisfied
11	Multi-family dwelling, three (3) or four (4) units per building (triplex or fourplex)			C	P	P	17.10.020 – only permitted on corner lots in R-L-5
12	Multi-family dwelling, five (5) or more units per building/site				P	P	

Commented [Gd10]: We need to address SB9 regulations

Commented [TM11R10]: The revisions address SB9.

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
13	Recreational vehicle park			C	C		
14	Residential care facility, up to six (6) persons	P	P	P	P	P	
15	Residential care facility, seven (7) or more persons	C	C	C	C	C	
16	Single-family dwelling, attached			P	P	P	
17	Single-family dwelling, detached	P	P	P	P	P	
18	Single-room occupancy (SRO)					C	
19	Supportive housing	P	P	P	P	P	
20	Transitional housing	P	P	P	P	P	
	Residential Accessory and Support Uses						
30	Accessory dwelling unit	~~A~~P	~~A~~P	~~A~~P	~~A~~P	~~A~~P	17.60.030, **subject to State Law regulations;**

Commented [Gd12]: An attached single-family would be considered multi-family

Commented [GM13]: do we want to change to P?

Commented [TM14R13]: Yes.

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
31	Building ancillary to the main residential use	P	P	P	P	P	
32	Cottage food operation	~~A~~**P**	~~A~~**P**	~~A~~**P**	~~A~~**P**	~~A~~**P**	17.60.050 – **Home Occupation Permit Required**
33	Expansion of existing nonconforming residential use	C	C	C	C	C	**17.90.070**
34	Guest house	P	P	P			**Without a kitchen**
35	Home occupation	P~~A~~	P~~A~~	P~~A~~	P~~A~~	P~~A~~	17.78 – **Home Occupation Permit Required**
36	Keeping of household pets	P	P	P	P	P	~~Title 6~~§ 6.12.010 limits the number of pets a household may maintain

Commented [GM15]: Should ancillary cap square footage to percentage of the primary residence (except for ADUs);

Commented [TM16R15]: Sounds reasonable.

Commented [JW17R15]: What is the difference between this and an accessory structure? (17.10.120)

Commented [GM18R15]: Accessory structures, per 17.10.120 have size/height limitations. Ancillary to main building would be a shop or something exceeding the 17.10.120 standards and has to meet normal setbacks

Commented [Gd19]: Should we add this information to the Zoning Ordinance Definitions?

6.12.010 Restriction on number of household pets.

A. The maximum number of pets allowed in a household or on any premises without a multi-pet permit shall be as follows:
1. Three (3) dogs over four (4) months of age;
2. Three (3) cats over four (4) months of age;
3. Two (2) potbellied pigs;
4. Three (3) reptiles;
5. The combined maximum number of dogs, cats, potbellied pigs and reptiles shall be three (3) animals;
6. The combined maximum number of all household pets other than dogs, cats, potbellied pigs and reptiles shall be three (3) animals;
7. The combined total of all household pets shall be six (6) animals.

Commented [TM20R19]: Rather than repeat the 6.12.010 restrictions, it would be sufficient to indicate that the number of pets is restricted by 6.12.010.

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	**R-L-8**	**R-L-5**	**R-M**	**R-H**	**Specific Land Use Standards (See identified Section)**
37	Raising of fruit, vegetables, and horticultural specialties for personal use	P	P	P	P	P	
38	Temporary caretaker's dwelling	T	T	T	T	T	
39	Temporary materials storage yard	T	T	T	T	T	
40	Temporary residential sales office	T	T	T	T	T	
41	Temporary construction living quarters	A	A	A	A	A	**Add Regulations – must be manufactured dwelling unit on permanent foundation; six month limit**
42 ~~1~~	Other accessory or ancillary use or structure that the Community Development Director determines is customarily associated with, and subordinate to, a primary permitted use.	P	P	P	P	P	
	Other Uses						

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
50	Community center or facility	C	C	C	C	C	
51	Day care, up to eight (8) children	P	P	P	P	P	17.60.060
52	Day care, nine (9) to fourteen (14) children	P ~~A~~	P ~~A~~	P ~~A~~	P ~~A~~	P ~~A~~	17.60.060; SB 234
, 53	Day care, over fourteen (14) children	C	C	C	C	C	17.60.060
54	Gas and electric transmission lines, electrical transmission and distribution substation, gas regulator station, communications equipment building, public service pumping station or elevated pressure tank	A	A	A	A	A	
55	Golf course or country club	C	C	C			
56	Mini-warehouse or self-storage facility			C			17.60.095 on a parcel which has frontage on and adequate main access to an arterial or collector street

Commented [Gd21]: Permitted by right - Senate Bill No. 234

Residential Zone Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Single-family Residential Zones			Multi-family Residential Zones		
		R-L-12	R-L-8	R-L-5	R-M	R-H	Specific Land Use Standards (See identified Section)
57	Park or playground	P	P	P	P	P	
58	Religious institution or facility	C	C	C	C	C	
59	School, private (kindergarten to 12th grade)	C	C	C			
60	School, public (kindergarten to 12th grade)	P	P	P			
61	Storm drainage basin, with ~~or~~ without a park	P	P	P	P	P	
62	Land uses listed in the Commercial, Office, and Industrial Zone Use Table (Section 17.~~10.040~~08.030) that are not listed in this Residential Zone Use Table						

Commented [Gd22]: A park or playground should be permitted in residential for the purposes of allowing a park in upcoming subdivisions, but the zone should be changed afterwards to PF/open space through a land use consistency finding
Otherwise, potential issue (example: Hidden Valley)

Commented [TM23R22]: Isn't a ZO amendment needed to modify the Zoning Map to reflect the change to PF/open space?

Commented [Gd24]: Same comment as above

Commented [Gd25]: Same comment as parks/playgrounds

17.08.030 Commercial, Office, and Industrial Zone Use Table

A. The following table identifies which land uses are permitted by right, require a use permit, or are not allowed in the C-N, C-R, C-S, C-H, MX-N, MX-C, MX-D, O-R, O, I-L, I-H, AP, PF, and CO zones.

B. A "P" means that the use is permitted by right in that zone. A "C" means the use requires a conditional use permit in that zone. An "A" means the use requires an administrative use permit in that zone. A "T" means the use requires a temporary use permit in that zone. A blank box means the use is not allowed in that zone. **Site Plan Review may be required, subject to the Applicability provisions set forth in Section 17.72.020.**

C. Land uses are grouped generally by type of use, and then listed alphabetically. The land use groups are Accessory and Support Uses; Eating and Drinking Establishment Uses; Education, Religious, and Assembly Uses; Manufacturing and Processing Uses; Office and Medical Uses; Public and Quasi-Public Uses; Recreation Uses; Residential Uses; Retail Uses; Service Uses; Transportation and Storage Uses; and Other Uses.

D. Land uses with specific land use standards shall meet the requirements found in the identified Section in the last column of the table.

E. Land within the Airport Protection Zone District shall also be subject to the standards found in the Airport Land Use Compatibility Plan.

Table 17.08.030

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	**Commercial Zones**				**Mixed Use Zones**			**Industrial and Office Zones**				**Other Zones**			
		C-N	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
	Accessory and Support Uses															
A1	Automated teller machine (ATM)	P	P	P	P	P	P	P		P	P	P		P		

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	**Commercial Zones**				**Mixed Use Zones**			**Industrial and Office Zones**				**Other Zones**			
		C-N	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
A2	Caretaker residence or quarters					A	A	A	A		A	A	A			
A3	Cottage food operation					**P** ~~**A**~~	**P** ~~**A**~~	**P** ~~**A**~~	**P** ~~**A**~~							17.60.050 – **Home Occupation Permit Required**
A4	Day care primarily for children of employees on the same site as a permitted use	P	P	P	P	P	P	P	P	P	P	P	P	P		17.60.060
A5	Drive-thru pick-up window, not in conjunction with a restaurant	P	P	P	P	P	P	C								17.60.070~~: 0.5-acre site minimum~~
A6	Electric vehicle ~~recharging facility~~charging station	A	A	A	A	A	A	A		A	A	A		A		
A7	Food service primarily for employees on the same site as a permitted use	P	P	P	P	P	P	P		P	P	P	P	P		
A8	Games of skill or amusement, eight (8) or less	P	P	P	P	P	P	P			P			P		

Commented [Gd26]: Standalone?
EV charging stations required AA not necessray

Commented [JW27R26]: I would match it with AB 1236: Electric Vehicle Charging Station.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
A9	Games of skill or amusement, more than eight (8)	C	C	C	C	C	C	C			C			C		
A10	Home occupation					P ~~A~~	P ~~A~~	P ~~A~~	P ~~A~~				P ~~A~~			17.78 – Home Occupation Permit Required
A11	Keeping of household pets					P	P	P	P				P			Title 6
A12	Keeping of large animals as pets												P			Title 6
~~A13~~	~~Marijuana cultivation~~											~~C~~				~~See Chapters 5.56 and 17.69~~
A14	Mobile vending or food truck	~~T C~~	~~T C~~	~~T C~~	~~T C~~	~~T C~~	~~T C~~	~~T C~~	-	~~T C~~	~~T C~~	~~T C~~				See Chapter 5.64; CUP required for placement exceeding six (6) months
A15	Outdoor advertising structure															

Commented [Gd28]: Cannabis cultivation, manufacture, distribution, transportation, microbusiness, non-storefront dispensaries and laboratory testing (D8)

Commented [Gd29R28]:

Commented [JW30R28]: Moved this around a bit...sorry

Commented [Gd31]: Food truck ordinance pending

Commented [GM33R32]: Should we change this definition to billboard?

Commented [TM34R32]: "Outdoor advertising structure" is defined as "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." A billboard would not be an "outdoor advertising structure" unless the sign advertises a use, product or services that are provided onsite. If the City intends to prohibit offsite advertising, A15 should be changed to "billboard" and a definition should be added to 17.96.020.

Commented [Gd32]: This means signage is not allowed

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
A16	Outdoor storage ancillary to and on the same site as a permitted use	P	P	P	P	P	P	P			P	P	P	P		17.60.120
A17	Temporary materials and/or equipment storage yard	T	T	T	T	T	T	T		T	T	T	T	P		
A18	Temporary sales office (including parking lot)	T	T	T	T	T	T	T	T	T	T	T				
A19	Vending machines	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~		A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~		17.60.150
A20	~~Accessory or ancillary Office use; medical, dental, or optometry, that the Community Development Director determines is customarily associated with, and subordinate to, a primary permitted use.~~	~~P~~		~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~		

Commented [Gd35]: Should we delete this with the recent changes to the HMC to allow limited medical in C-R
Also medical not permitted in C-H

Commented [TM36R35]: Yes.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
A21	Other accessory or ancillary use or structure that the Community Development Director determines is customarily associated with, and subordinate to, a primary permitted use.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Eating and Drinking Establishment Uses															
B1	Artisan food and beverage production and sales	P	P	P	P	P	P	P			P					
B2	Bar, nightclub, or lounge		C	C	C		C	C								
B3	Brewpub	C	P	P	C	C	P	P								
B4	Microbrewery		C	P	C		C	C								
B5	Restaurant, full service	P	P	P	P	P	P	P								

Commented [JW38R37]: ABC's rules are 600 ft of schools and playgrounds. 100 feet of residence. Some cities increase the residence requirement. Visalia is 300 ft. from a residence

Commented [Gd37]: Should distance requirements be enacted?

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
B6	Restaurant, limited service with drive-thru pickup window	P	P	P	P	P	P	P								**0.5-acre minimum lot size required; 17.60.070**
B7	Restaurant, limited service without drive-thru pickup window	P	P	P	P	P	P	P								
	Education, Religious and Assembly Uses															
C1	Auditorium				P		P	P						P		
C2	Card room			C												
C3	Club, lodge, **event space,** or private meeting hall			P			P	P								
C4	Carnival or circus		T	T	T		T	T								
C5	College or university, public or private		C	C			C	C						P		
C6	Convention or conference center				P		P	P						P		
C7	Funeral home or mortuary			P			C		P	C						

Commented [JW39]: I don't see a good reason to keep this.

Commented [GM40R39]: agree

Commented [GM41]: Should Auditoriums and Convention or Conference Centers be allowed in all the same zone districts?

Commented [JW42R41]: Yes, I don't see a major difference.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
C8	Library, museum, or cultural facility						P	P						P		
C9	Pool hall or billiard parlor			C			C									
C10	Religious institution or facility			P			C	C		C	C					
C11	School, private (kindergarten to 12th grade)													C		
C12	School, public (kindergarten to 12th grade)													P		
C13	School; charter, trade, vocational, art, business, or professional		C	P			C	C	C	C	C			P		
C14	Studio for martial arts, music, dance, yoga, exercise, gymnastics or similar	P	P	P		P	P	P		P	P					
C15	Theater, live or movie		P					P								
	Theater, live or movie with incidental alcohol sales		C					C								ABC Type 41 or 47 required

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Manufacturing and Processing Uses															
D1	Agricultural crop production											P	P	P	P	
D2	Agricultural products packing, packaging, preparing or processing										C	P	C			
	Agricultural technology			**P**							**P**	**P**				
D3	Animal raising												P			
	Beverage Production			**P**							**P**	**P**				
	Blacksmiths or metal products manufacturing			**C**							**P**	**P**				
	Boat building and repair			**P**							**P**	**P**				
~~D4~~	~~Brewery, winery, or distillery~~										~~C~~	~~C~~				
	Cannabis cultivation											C				See chapters 5.56 and 17.69

Commented [JW43]: Section needs more categories. I have added, feel free to remove

Commented [GM44R43]: We already have an artisan food/beverage production should we consolidate to only say food and beverage production?

Or leave the distinction between small and large operations

"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)

Commented [GM45R43]: Food and Beverage Production listed and beverage by itself, also

Commented [GM46R43]: Recommend removing leather production from C-S due to large machinery and potential odor

Commented [GM47R43]: Was distillery, winery, etc removed to be captured under beverage production?

Commented [GM48R43]: Recommendation: for manufacturing uses, allow them in I-L and I-H, but require a CUP in C-S zones, due to proximity to residential or offices

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Cannabis distribution										C	C				See chapters 5.56 and 17.69
	Cannabis manufacturing											C				See chapters 5.56 and 17.69
	Cannabis testing										C	C				See chapters 5.56 and 17.69
	Chemical products manufacturing											C				
	Clothing ~~prodcuts~~ production			~~P~~ C							P	P				
	Concrete and cement ~~products~~ production											C				
	Electrical equipment or- component manufacturing			~~P~~ C							P	P				
	Fabric product manufacturing~~Electronic component manufacturing~~			C							P ~~P~~	P ~~P~~				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Food and beverage manufacturing (large scale)~~Fabric product manufacturing~~			P							P P	P P				
	Furniture and cabinet shops~~Food and beverage manufacturing~~			C P							P P	P P				
	Glass production~~Furniture and cabinet shops~~			C P							P P	P P				
	Hazardous waste facility ~~Glass products~~			P							P	C P				
D5	Industrial or manufacturing facility, general ~~Hazardous waste facility~~											P ~~C~~				
D6	Industrial or manufacturing, intensive~~Industrial or manufacturing facility, general~~											C P				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Industrial or manufacturing facility, limited~~Industrial or manufacturing, intensive~~										P	P C				
D7	Jewelry manufacturing~~Industrial or manufacturing facility, limited~~			P							P ~~P~~	P ~~P~~				
	Laundries and dry cleaning plants~~Jewelry manufacturing~~			P ~~P~~							P ~~P~~	P ~~P~~				
	Leather products~~Laundries and dry cleaning plants~~			**P** ~~P~~							**P** ~~P~~	**P** ~~P~~				
	Lumber and wood product manufacturing~~Leather products~~			**C** ~~P~~							**P** ~~P~~	**P** ~~P~~				
	Machinery manufacturing, no punch presses or drop hammers over 20 tons~~Lumber and wood product manufacturing~~			**C** ~~C~~							**P** ~~P~~	**P** ~~P~~				

Commented [Gd49]: We wanted to look at industrial uses (some should require CUP)

Commented [Gd50]: We wanted to look at industrial uses (some should require CUP)

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Machinery manufacturing, with punch presses or drop hammers over 20 tons~~**Machinery manufacturing, no punch presses or drop hammers over 20 tons**~~			~~**P**~~							~~**C**~~ **P**	~~**C**~~ **P**				
	Marijuana manufacture transportation, distribution or lab testing~~**Machinery manufacturing, with punch presses or drop hammers over 20 tons**~~										~~**C**~~	~~**C**~~ **C**				See Chapters 5.56 and 17.69
~~D8~~	Meat packing and processing, no on-site slaughterhouse~~Marijuana manufacture transportation, distribution or lab testing~~										C	~~**C**~~ **P**				~~See Chapters 5.56 and 17.69~~
	Meat packing **without** slaughterhouse~~Meat packing and processing, no on-site slaughterhouse~~										~~**C**~~	~~**P**~~ **C**				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
D9	Metal products fabrication (remove, listed twice)~~Meat packing with or slaughterhouse~~			C							P	P ~~C~~				
	Mining, quarry, or sand and gravel excavation~~Metal products fabrication~~			~~C~~							~~P~~	C ~~P~~	C			
D10	**Monument and tombstone works~~Mining, quarry, or sand and gravel excavation~~**			**P** **C**							**P**	**P** ~~**C**~~	~~**C**~~			
	Motor vehicle manufacturing~~Monument and tombstone works~~			~~**P**~~							**P** ~~**P**~~	**P** ~~**P**~~				
	Paint manufacturing~~Motor vehicle manufacturing~~										~~**P**~~	**C** ~~**P**~~				
	Paper products manufacturing~~Paint manufacturing~~										**P**	**P** ~~**C**~~				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Pharmaceutical manufacturing~~Paper products manufacturing~~										P ~~P~~	P ~~P~~				
	Plastics and rubber products~~Pharmaceutical manufacturing~~										P ~~P~~	P ~~P~~				
	Printing and publishing~~Plastics and rubber products~~			P							P ~~P~~	P ~~P~~				
	Research and development facility~~Printing and publishing~~			P ~~P~~	C					P	P ~~P~~	C ~~P~~				
D11	Structural clay and pottery production~~Research and development facility~~			C ~~P~~	~~C~~					~~P~~	P ~~P~~	P ~~C~~				
	Surgical and medical instrument manufacturing~~Structural clay and pottery products~~			C ~~P~~							P ~~P~~	P ~~P~~				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Telecommunication component manufacturing~~Surgical and medical instrument manufacturing~~			C ~~P~~							P ~~P~~	P ~~P~~				
	Textile production~~Telecommunication component manufacturing~~			C ~~P~~							P ~~P~~	P ~~P~~				
	Tire recapping, retreading, and rebuilding~~Textile products~~			~~C~~							C ~~P~~	P ~~P~~				
	Welding~~Tire recapping, retreading, and rebuilding~~			C							P ~~C~~	P ~~P~~				
	Office and Medical Uses~~Welding~~			~~C~~							~~P~~	~~P~~				
	Office and Medical Uses															
E1	Business support service~~Office and Medical Uses~~		P	P			P	P	P	P						

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
E2~~E1~~	Call center~~Business support service~~		C ~~P~~	~~P~~	C		~~P~~	~~P~~	~~P~~	C ~~P~~						
E3~~E2~~	Communications broadcasting or media studio~~Call center~~		~~C~~	P	~~C~~		C	P		P ~~C~~	C					We don't have a definition for this use
E4~~E3~~	Laboratory; general, medical or dental~~Communications broadcasting or media studio~~			P ~~P~~	C		P ~~C~~	C ~~P~~		P ~~P~~	C ~~C~~					~~We don't have a definition for this use~~
E5~~E4~~	Hospital, general or psychiatric~~Laboratory; general, medical or dental~~			~~P~~	~~C~~		~~P~~	~~C~~		P ~~P~~	~~C~~			P		
E6~~E5~~	Office; medical, dental, or optometry~~Hospital, general or psychiatric~~	P		P		P	P	P	P	P ~~P~~				~~P~~		
~~E6~~	**Under 2,000 sq. ft.**~~Office; medical, dental, or optometry~~	**P** ~~P~~	**P**	**P** ~~P~~		**P** ~~P~~	**P** ~~P~~	**P** ~~P~~	**P** ~~P~~	**P** ~~P~~						
	2,000 – 6,000 sq. ft~~**Under 2,000 sq. ft.**~~	**P** ~~P~~	**C** ~~P~~	**P** ~~P~~		**P** ~~P~~	**P** ~~P~~	**P** ~~P~~	**P** ~~P~~	**P** ~~P~~						

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Over 6,000 sq. ft.~~2,000 – 6,000 sq. ft~~	**P~~P~~**	**~~C~~**	**P~~P~~**		**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**						
E7	Office; professional or commercial**~~Over 6,000 sq. ft.~~**	P~~P~~		P~~P~~		P~~P~~	P~~P~~	P~~P~~	P~~P~~	P~~P~~						
~~E7~~	**Under 2,000 sq. ft.**~~Office; professional or commercial~~	**P~~P~~**	**P**	**P~~P~~**		**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**						
	2,000 – 6,000 sq. ft~~Under 2,000 sq. ft.~~	**P~~P~~**	**C~~P~~**	**P~~P~~**		**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**						
	Over 6,000 sq. ft.~~2,000 – 6,000 sq. ft~~	**P~~P~~**	**~~C~~**	**P~~P~~**		**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**	**P~~P~~**						
E8	Pharmacy**~~Over 6,000 sq. ft.~~**	P~~P~~	P	P~~P~~		P~~P~~	P~~P~~	P~~P~~	**~~P~~**	P~~P~~						
~~E8~~	Urgent care center or other walk-in clinic~~Pharmacy~~	P~~P~~	C~~P~~	C~~P~~		P~~P~~	P~~P~~	P~~P~~		P~~P~~						

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
	Public and Quasi-Public Uses~~Urgent care center or other walk-in clinic~~	~~P~~	~~C~~	~~C~~		~~P~~	~~P~~	~~P~~		~~P~~						
F1	Cemetery~~**Public and Quasi-Public Uses**~~													P		
F2F1																
F3F2~~F1~~	Community center or facility~~Cemetery~~	P		P		P	P	P						~~P~~		
F4F3~~F2~~	Community garden~~Community center or facility~~	~~P~~		P ~~P~~		P ~~P~~	P ~~P~~	P ~~P~~		P			P	P		
F5F4~~F3~~	Day care, up to eight (8) persons~~Community garden~~			~~P~~		P ~~P~~	P ~~P~~	P ~~P~~	P	~~P~~			~~P~~	~~P~~		17.60.060
F6F5~~F4~~	Day care, nine (9) to fourteen (14) persons~~Day care, up to eight (8) persons~~			C		A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~							17.60.060~~17.60.060~~
F7F6~~F5~~	Day care, over fourteen (14) persons~~Day care, nine (9) to fourteen (14) persons~~			C ~~C~~		C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~							17.60.060~~17.60.060~~

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
F8F7~~F6~~	Electrical distribution and transmission and substation, gas regulator station, communications equipment building, public service pumping station or elevated pressure tank~~Day care, over fourteen (14) persons~~	A	A	A~~C~~	A	A~~C~~	A~~C~~	A~~C~~	A~~C~~	A	A	A	A	A	A	~~17.60.060~~
F9F8~~F7~~	Fairgrounds~~Electrical distribution and transmission and substation, gas regulator station, communications equipment building, public service pumping station or elevated pressure tank~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	P~~A~~	~~A~~	
F10F9~~F8~~	Government office; local, state, or federal~~Fairgrounds~~		C					P		P				P~~P~~		
F11F10~~F9~~	Post office~~Government office; local, state, or federal~~		~~C~~				P	P~~P~~		P~~P~~				P~~P~~		

Commented [TM51]: Note: The feds and state are not subject to local zoning laws and may disregard the ZO to establish an office without a CUP.

Commented [TM52]: Note: The feds and state are not subject to local zoning laws and may disregard the ZO to establish an office without a CUP.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
F12 F11 ~~F10~~	Public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard~~Post office~~						~~P~~	~~P~~		~~P~~	C	P	P	P ~~P~~		
F13 F12 ~~F11~~	Public safety facility or station~~Public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard~~	P	P	P	P	P	P	P			P ~~C~~	P ~~P~~	P ~~P~~	P ~~P~~		
F14 F13 ~~F12~~	Social service office, assistance center, or guidance center ~~Public safety facility or station~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	P ~~P~~		C	~~P~~	~~P~~	~~P~~	~~P~~		
F15 F14 ~~F13~~	Storm drainage basin, with or without a park~~Social service office, assistance center, or guidance center~~	P	P	P	P	P	P	~~P~~		P ~~C~~	P	P	P	P	P	
F15 ~~F14~~	Wireless communication facility (WCF)~~Storm drainage basin, with or without a park~~	~~P~~	C ~~P~~	P ~~P~~	P ~~P~~	~~P~~	C ~~P~~	C		C ~~P~~	P ~~P~~	P ~~P~~	~~P~~	P ~~P~~	~~P~~	17.68

Commented [JW53]: Should not limit ourselves here

Commented [JW54]: Should not limit ourselves here

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
G1~~F15~~	**Recreation Uses**~~Wireless communication facility (WCF)~~		~~C~~	~~P~~	~~P~~		~~C~~	~~C~~		~~C~~	~~P~~	~~P~~		~~P~~		~~17.68~~
G2G1	Athletic complex or ball field~~**Recreation Uses**~~													P		
G3G2~~G1~~	Commercial recreation facility, indoor~~Athletic complex or ball field~~	C	C	P	P	C	P	C			C			~~P~~		
G4G3~~G2~~	Commercial recreation facility, outdoor ~~Commercial recreation facility, indoor~~	~~C~~	~~C~~	~~P~~	C ~~P~~	~~C~~	~~P~~	~~C~~			C ~~C~~	C	C	C		
G5G4~~G3~~	Golf course or country club~~Commercial recreation facility, outdoor~~				~~C~~						~~C~~	~~C~~	C ~~C~~	C ~~C~~		
G6G5~~G4~~	Health or fitness facility, large~~Golf course or country club~~		C	P	C		P	P		C			~~C~~	~~C~~		
G7G6~~G5~~	Health or fitness facility, small~~Health or fitness facility, large~~	P	P ~~C~~	P ~~P~~	P ~~C~~	P	P ~~P~~	P ~~P~~		P ~~C~~	C					
G7~~G6~~	Park or playground~~Health or fitness facility, small~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	P ~~P~~	~~P~~		~~P~~	~~C~~		P	P		

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
H1~~G~~ ~~7~~	**Residential Uses**~~Park or playground~~						~~P~~						~~P~~	~~P~~		
H2H 1	Assisted living, skilled nursing, or hospice facility~~**Residential Uses**~~					C	C	C	C							
H3H 2~~H1~~	Bed and breakfast inn~~Assisted living, skilled nursing, or hospice facility~~				C	~~C~~	C ~~C~~	C ~~C~~	C ~~C~~							17.60.040
H4H 3~~H2~~	Boarding or rooming house ~~Bed and breakfast inn~~				C ~~C~~	C	P ~~C~~	P ~~C~~	~~C~~							~~17.60.040~~
H5H 4~~H3~~	Emergency shelter~~Boarding or rooming house~~				~~C~~	~~C~~	~~P~~	~~P~~	P					P		
H6H 5~~H4~~	Employee housing for six (6) or fewer employees~~Emergency shelter~~					P	P	P	P ~~P~~					~~P~~		
H7H 6~~H5~~	Hotel or motel~~Employee housing for six (6) or fewer employees~~		C	C	P	~~P~~	P ~~P~~	P ~~P~~	~~P~~							

Commented [Gd55]: Should we address AirBnB- style rentals?
Commented [JW56R55]: Yes, we should get something adopted

Commented [Gd57]: Should we address AirBnB- style rentals?
Commented [JW58R57]: Yes, we should get something adopted

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
H7~~H6~~	Live/work facility ~~Hotel or motel~~		~~C~~	P ~~C~~	~~P~~	P	P ~~P~~	P ~~P~~	P							Definition similar to H14 Residential dwelling located in the same building with office or commercial use
H8~~H7~~	**Manufactured home on permanent foundation**~~Live/work facility~~			~~P~~		**P** ~~P~~	**P** ~~P~~	**P** ~~P~~	**P** ~~P~~				**P**			~~Definition similar to H14 Residential dwelling located in the same building with office or commercial use~~
H9H8	Mobile home park (two or more mobile homes or manufactured dwellings on a site; 5 acre minimum)~~**Manufactured home on permanent foundation**~~					**P**	**P**	**P**	**P**				**P**			17.60.100

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
	Land Uses	**C-N**	**C-R**	**C-S**	**C-H**	**MX-N**	**MX-C**	**MX-D**	**O-R**	**O**	**I-L**	**I-H**	**AP**	**PF**	**CO**	**Specific Land Use Standards (See identified Section)**
H10 H9~~H8~~	Multi-family dwelling, two (2) units per building (duplex)~~Mobile home park (two or more mobile homes or manufactured dwellings on a site; 5 acre minimum)~~					P	P	P	P							Site area per dwelling unit not addressed ~~17.60.100~~
H11 H10 ~~H9~~	Multi-family dwelling, three (3) or four (4) units per building (triplex or fourplex)~~Multi-family dwelling, two (2) units per building (duplex)~~					P ~~P~~	P ~~P~~	P ~~P~~	C ~~P~~							Site area per dwelling unit not addressed~~Site area per dwelling unit not addressed~~
H12 H11 ~~H10~~	Multi-family dwelling, five (5) or more units per building~~Multi-family dwelling, three (3) or four (4) units per building (triplex or fourplex)~~					P ~~P~~	P ~~P~~	P ~~P~~	~~C~~							Site area per dwelling unit not addressed~~Site area per dwelling unit not addressed~~
H13 H12 ~~H11~~	Recreational vehicle park~~Multi-family dwelling, five (5) or more units per building~~				C	~~P~~	~~P~~	~~P~~			C					~~Site area per dwelling unit not addressed~~

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
H14 H13 ~~H12~~	Residential care facility~~Recreational vehicle park~~				~~C~~	P	P	P	P		~~C~~					Occupant Limitations?
H15 H14 ~~H13~~	Residential dwelling located in same building with office or commercial use~~Residential care facility~~			C		P ~~P~~	P ~~P~~	P ~~P~~	P ~~P~~				P			Definition similar to H7 Residential dwelling located in the same building with office or commercial use~~Occupant Limitations?~~
H16 H15 ~~H14~~	Single-family dwelling, attached~~Residential dwelling located in same building with office or commercial use~~			~~C~~		P ~~P~~	P ~~P~~	P ~~P~~	~~P~~				~~P~~			~~Definition similar to H7 Residential dwelling located in the same building with office or commercial use~~
H17 H16 ~~H15~~	Single-family dwelling, detached~~Single-family dwelling, attached~~					P ~~P~~	P ~~P~~	P ~~P~~	P				P			

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
H18 H17 ~~H16~~	Single-room occupancy (SRO)~~Single-family dwelling, detached~~					P ~~P~~	P P ~~P~~	P P ~~P~~	P P ~~P~~				P ~~P~~			
H19 H18 ~~H17~~	Supportive housing~~Single-room occupancy (SRO)~~					P	P P ~~P~~	P P ~~P~~	P P ~~P~~				P			
H19 ~~H18~~	Transitional housing~~Supportive housing~~					P P ~~P~~	P P ~~P~~	P P ~~P~~	P P ~~P~~				P P ~~P~~			
I1~~H19~~	**Retail Uses**~~Transitional housing~~					P ~~P~~	P ~~P~~	P ~~P~~	P ~~P~~				P ~~P~~			
I2I1	Adult entertainment establishment~~**Retail Uses**~~		A	A			A									17.62
I3I2 ~~I1~~	Auction or sales house~~Adult entertainment establishment~~		~~A~~	P ~~A~~			P ~~A~~	P								~~17.62~~
I4I3 ~~I2~~	Auction or sales yard~~Auction or sales house~~			C ~~P~~			~~P~~	~~P~~			C					
I5I4 ~~I3~~	Automobile and pick-up sales, new and used~~Auction or sales yard~~			P ~~C~~	P			P			~~C~~					17.60.140

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I5~~I4~~	Automobile and pick-up sales, used only~~Automobile and pick-up sales, new and used~~			P ~~P~~	P ~~P~~			~~P~~								17.60.140~~17.60.140~~
I6~~I5~~	Automobile/motorcycle parts (retail), no installation~~Automobile and pick-up sales, used only~~	P	P	P ~~P~~	P ~~P~~	P	P	P								~~17.60.140~~
I7~~I6~~	Boat, recreational vehicle (RV), and truck sales~~Automobile/motorcycle parts (retail), no installation~~	~~P~~	~~P~~	P ~~P~~	C ~~P~~	~~P~~	~~P~~	~~P~~								
I8~~I7~~ ~~I6~~	Building materials and supply or home improvement store~~Boat, recreational vehicle (RV), and truck sales~~		P	P ~~P~~	~~C~~		P	P			C					
I9~~I8~~ ~~I7~~	Convenience store, with or without fuel sales~~Building materials and supply or home improvement store~~	P	P ~~P~~	P ~~P~~	P	P	P ~~P~~	P ~~P~~			C ~~C~~					

Commented [Gd59]: Add 60/40 information: majority new cars with limited used

Commented [Gd60]: Add 60/40 information: majority new cars with limited used

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I10I9I8	Farm or construction equipment sales or service~~Convenience store, with or without fuel sales~~	~~P~~	~~P~~	P ~~P~~	C ~~P~~	~~P~~	~~P~~	~~P~~			~~C~~					**Definition Needed**
I11I10I9	Farmers market~~Farm or construction equipment sales or service~~		A	A ~~P~~	~~C~~			A						A		**~~Definition Needed~~**
I12I11~~I10~~	Feed and seed store~~Farmers market~~		~~A~~	P ~~A~~				~~A~~			P			~~A~~		
~~I13I12I11~~	Food market~~Feed and seed store~~	P	P	P ~~P~~	P	P	P	P			~~P~~					
I14I13~~I12~~	Food produce stand~~Food market~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	~~P~~		A	A	A	A	A		Limited to produce grown on the site
I15I14~~I13~~	Fuel sales, fleet or cardlock~~Food produce stand~~	~~A~~	~~A~~	P ~~A~~	P ~~A~~	~~A~~	~~A~~			~~A~~	P ~~A~~	P ~~A~~	~~A~~	P ~~A~~		~~Limited to produce grown on the site~~
I16I15~~I14~~	Fuel sales, retail~~Fuel sales, fleet or cardlock~~	P	P	P ~~P~~	P ~~P~~	P	P	P			C ~~P~~	~~P~~		~~P~~		

Commented [Gd61]: Should we change this to T – Temporary Use Permit .

Commented [JW62R61]: Yes, so that we can condition it.

Commented [Gd63]: Should we change this to T – Temporary Use Permit .

Commented [JW64R63]: Yes, so that we can condition it.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I17I 16~~H 5~~	Furniture store with less than 15,000 sq.ft. of floor space devoted to the display and sale of furniture~~Fuel sales, retail~~	~~P~~	P ~~P~~	~~P~~	~~P~~	~~P~~	P ~~P~~	P ~~P~~			~~C~~					
I18I 17~~H 6~~	Furniture store with 15,000 to 20,000 sq.ft. of floor space devoted to the display and sale of furniture~~Furniture store with less than 15,000 sq.ft. of floor space devoted to the display and sale of furniture~~		C ~~P~~				C ~~P~~	P ~~P~~								
I19I 18~~H 7~~	Furniture store with over than 20,000 sq.ft. of floor space devoted to the display and sale of furniture~~Furniture store with 15,000 to 20,000 sq.ft. of floor space devoted to the display and sale of furniture~~		~~C~~				~~C~~	P ~~P~~								

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I20I19~~H8~~	Garden shop~~Furniture store with over than 20,000 sq.ft. of floor space devoted to the display and sale of furniture~~		P	P			P	P~~P~~								
I21I20~~H9~~	Landscape nursery~~Garden shop~~		~~P~~	P~~P~~			C~~P~~	~~P~~			C	C	C			
I22I21~~I20~~	Liquor store~~Landscape nursery~~	P	P	P~~P~~	P	P	P~~C~~	P			~~C~~	~~C~~	~~C~~			
I23I22~~I21~~	Manufactured home sales yard~~Liquor store~~	~~P~~	~~P~~	C~~P~~	~~P~~	~~P~~	~~P~~	~~P~~					C			
I24I23~~I22~~	Marijuana dispensary or sales~~Manufactured home sales yard~~			~~C~~				C					~~C~~			See Chapters 5.56 and 17.69
I25I24~~I23~~	News, magazine or flower stand, outdoor~~Marijuana dispensary or sales~~				C			P~~C~~								~~See Chapters 5.56 and 17.69~~
I26I25~~I24~~	Optical retailers~~News, magazine or flower stand, outdoor~~		P		~~C~~		P	P~~P~~								

Commented [JW65]: Update "Cannabis Retail"

Commented [JW66]: Update "Cannabis Retail"

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I27I26~~I25~~	Pawn shop~~Optical retailers~~		~~P~~	P			~~P~~	P~~P~~								
I28I27~~I26~~	Pet store~~Pawn shop~~	P	P	P~~P~~		P	P	P~~P~~								
I29I28~~I27~~	Retail sales store~~Pet store~~	P~~P~~	P~~P~~	P~~P~~	P	P~~P~~	P~~P~~	P~~P~~								Also see Lines I16, I17, and I18 related to sales of furniture
I30I29~~I28~~	Retail sales solely via internet, direct mail, or telephone~~Retail sales store~~	~~P~~	~~P~~	P~~P~~	~~P~~	~~P~~	P~~P~~	~~P~~	C	C						~~Also see Lines I16, I17, and I18 related to sales of furniture~~
I31I30~~I29~~	Secondhand or thrift store~~Retail sales solely via internet, direct mail, or telephone~~			P~~P~~			~~P~~	P	~~C~~	~~C~~						
I32I31~~I30~~	Swap meet or flea market~~Secondhand or thrift store~~			C~~P~~				~~P~~			C	C		C		

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
I32~~I31~~	Tobacco or smoke shop~~Swap meet or flea market~~		C	P ~~C~~	**P**		P ~~C~~	P			~~C~~	~~C~~		~~C~~		**Regulations:** **17.60 distances from schools** **600 ft. from sensitive uses (as defined by cannabis)** **600 ft. from other smoke shops** **Tobacco products should be locked behind counter**
	Service Uses~~Tobacco or smoke shop~~		~~C~~	~~P~~	~~P~~ ~~C~~		~~P~~ ~~C~~	~~P~~ ~~C~~								
J1	Ambulance service~~**Service Uses**~~			P			P			C						

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J2~~J1~~	Bank or credit union, main branch~~Ambulance service~~			~~P~~			~~P~~	P		~~C~~						
J3~~J2~~	Bank or credit union, secondary branch~~Bank or credit union, main branch~~	P				P	P	P ~~P~~								
J4~~J3~~	Barber shop, hair salon, nail care, massage therapy establishment, or day spa~~Bank or credit union, secondary branch~~	P ~~P~~	P	P	P	P ~~P~~	P ~~P~~	P ~~P~~	C	C	C					
J5~~J4~~	Car wash, automatic or full service~~Barber shop, hair salon, nail care, massage therapyestablishment, or day spa~~	C ~~P~~	C ~~P~~	P ~~P~~	P ~~P~~	C ~~P~~	P ~~P~~	~~P~~	~~C~~	~~C~~	~~C~~					
J6~~J5~~	Car wash, self-service~~Car wash, automatic or full service~~	~~C~~	~~C~~	C ~~P~~	C ~~P~~	~~C~~	C ~~P~~									
J7~~J6~~	Carpet cleaning and dyeing ~~Car wash, self-service~~			P ~~C~~	~~C~~		C ~~C~~				P					

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J8J7	Construction materials recyclingCarpet cleaning and dyeing			P			C				P	C		P		
J9J8	Copy, printing, or mailing serviceConstruction materials recycling	P	P	P	P	P	P	P		P	P	C		P		
J10J9	Crematorium or columbariumCopy, printing, or mailing service	P	P	C P	P	P	C P	P		P	C P					
J11J10	Dry cleaning or laundromatCrematorium or columbarium	P		P C	P	P	P C	P			C					
J12J11	Equipment rental yardDry cleaning or laundromat	P		P P	P	P	P	P			P					
J13J12	Exterminator or pest control serviceEquipment rental yard			P P			P	C			P P	P				
J14J13	Food cateringExterminator or pest control service			P P			P P	P C	C		P	P				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J15~~J14~~	Fortunetelling ~~Food catering~~			P ~~P~~			~~P~~	~~P~~	~~C~~		P					
J16~~J15~~	Fuel distributing~~Fortunetelling~~			P ~~P~~							P ~~P~~	P				
J17~~J16~~	Kennel or animal boarding~~Fuel distributing~~			P ~~P~~	P		C				C ~~P~~	~~P~~				
J18~~J17~~	Linen, diaper, or uniform supply service~~Kennel or animal boarding~~			P ~~P~~	~~P~~		~~C~~				P ~~C~~	P				
J19~~J18~~	Medical Spa~~Linen, diaper, or uniform supply service~~	P		P ~~P~~		P	P	P	P	P	~~P~~	~~P~~				Where a is required on-site
J19	Motor vehicle repair or service, major~~Medical Spa~~	~~P~~		P ~~P~~	P	~~P~~	C ~~P~~	~~P~~	~~P~~	~~P~~	P	P				~~Where a doctor is required on-site~~
J20~~J19~~	Motor vehicle repair or service, minor~~Motor vehicle repair or service, major~~		C	P ~~P~~	P ~~P~~		P ~~C~~	C			P ~~P~~	~~P~~				

Commented [TM67]: Definition?

Commented [JW68R67]: Possibly remove and add to the J20 definition (we should also add vehicle paint shops to the definition)

Commented [TM71]: Licensed physician?

Commented [JW72R71]: Agree

Commented [TM69]: Definition?

Commented [JW70R69]: Possibly remove and add to the J20 definition (we should also add vehicle paint shops to the definition)

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J21~~J20~~	Motor vehicle window tinting~~Motor vehicle repair or service, minor~~		~~C~~	P~~P~~	P~~P~~		C~~P~~	~~C~~			P~~P~~	P				
J22	Payday lenders or check cashing establishment~~Motor vehicle window tinting~~			C~~P~~	~~P~~		C~~C~~	C			~~P~~	~~P~~				
J23~~J21~~	Pet grooming~~Payday lenders or check cashing establishment~~	C	C	P~~C~~		C	P~~C~~	C~~C~~								
J24~~J22~~	Photography studio~~Pet grooming~~	P~~C~~	P~~C~~	P~~P~~		P~~C~~	P~~P~~	P~~C~~	C	P						
J25~~J23~~	Recycling, small collection facility (CRV only)~~Photography studio~~	P~~A~~~~P~~	P~~A~~~~P~~	P~~A~~~~P~~	P~~A~~	P~~A~~~~P~~	P~~A~~~~P~~	P~~A~~~~P~~	~~C~~	~~P~~	P~~A~~			P~~A~~		
J26~~J24~~	Recycling, large collection facility~~Recycling, small collection facility (CRV only)~~	P~~A~~	P~~A~~	C~~P~~~~A~~	P~~A~~	P~~A~~	P~~A~~	P~~A~~			P~~P~~~~A~~	P		P~~P~~~~A~~		
J27~~J25~~	Recycling, processing or sorting facility~~Recycling, large collection facility~~			~~C~~							C~~P~~	C~~P~~		~~P~~		

Commented [TM73]: Note: some tinting businesses also install paint protection films.

Commented [TM74]: Note: some tinting businesses also install paint protection films.

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J28~~J26~~	Repair shop, large appliance or equipment~~Recycling, processing or sorting facility~~			P			P	C			~~C~~	~~C~~				
J29~~J27~~	Repair shop, small appliance or equipment~~Repair shop, large appliance or equipment~~	C		P ~~P~~		C	P ~~P~~	P ~~C~~	C							
J30~~J28~~	Shooting range, indoor~~Repair shop, small appliance or equipment~~	~~C~~		C ~~P~~		~~C~~	~~P~~	~~P~~	~~C~~		C		C	C		
J31~~J29~~	Shooting range, outdoor~~Shooting range, indoor~~			~~C~~							~~C~~		~~C~~	~~C~~		
J32~~J30~~	Specialty construction or trade service~~Shooting range, outdoor~~			P							P	P				
J33~~J31~~	Tailoring or clothing alterations~~Specialty construction or trade service~~	P		P ~~P~~		P	P	P	P		~~P~~	~~P~~				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
J34~~J32~~	Tattooing or body art~~Tailoring or clothing alterations~~	~~P~~		C ~~P~~		~~P~~	C ~~P~~	P ~~P~~	~~P~~							
J35~~J33~~	Veterinary clinic or office~~Tattooing or body art~~		C	P ~~C~~			C ~~C~~	~~P~~		P						
J36~~J34~~	Veterinary hospital~~Veterinary clinic or office~~		~~C~~	~~P~~			~~C~~			~~P~~	C		C			
~~J35~~	**Transportation and Storage Uses**~~Veterinary hospital~~										~~C~~		~~C~~			
K1	Airport or heliport~~**Transportation and Storage Uses**~~												P	P		
K2~~K1~~	Bus, transit, or train station~~Airport or heliport~~							P					~~P~~	P ~~P~~		
K3~~K2~~	Cold storage or ice house~~Bus, transit, or train station~~			C				~~P~~			P	P	P	~~P~~		
K4~~K3~~	Food locker~~Cold storage or ice house~~			P ~~C~~							P ~~P~~	~~P~~	P ~~P~~	P		

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

	Land Uses	Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
K5~~K4~~	Junk yard, wrecking yard, or salvage facility~~Food locker~~			~~P~~							~~P~~	C	~~P~~	~~P~~		
K6~~K5~~	Mini-warehouse or self-storage facility~~Junk yard, wrecking yard, or salvage facility~~			P	C		C				C	~~C~~				
K7~~K6~~	Parking facility, off-site~~Mini-warehouse or self-storage facility~~		C	C ~~P~~	~~C~~		~~C~~	C		C	~~C~~					
K8~~K7~~	Truck stop or travel center~~Parking facility, off-site~~		~~C~~	~~C~~	C			~~C~~		~~C~~						
K9~~K8~~	Trucking or transportation terminal~~Truck stop or travel center~~				~~C~~							P				
K10 ~~K9~~	Vehicle impound yard ~~Trucking or transportation terminal~~			C							P	P ~~P~~				
K11 ~~K10~~	Warehouse or distribution center~~Vehicle impound yard~~			~~C~~							P ~~P~~	P ~~P~~				

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
~~K11~~	**Other Uses**~~Warehouse or distribution center~~										~~P~~	~~P~~				
L1	Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that is permitted in the same zone~~**Other Uses**~~	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
L2~~L1~~	Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that requires an administrative use permit in the same zone~~Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that is permitted in the same zone~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	A~~P~~	

Commercial, Office, and Industrial Use Table

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
A = Use Requires Administrative Use Permit T = Use Requires Temporary Use Permit
Blank = Use is Not Allowed

Land Uses		Commercial Zones				Mixed Use Zones			Industrial and Office Zones				Other Zones			
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	Specific Land Use Standards (See identified Section)
L3~~L2~~	Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that requires a conditional use permit in the same zone~~Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that requires an administrative use permit in the same zone~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	C ~~A~~	
~~L3~~	~~Other uses not listed that are determined by the Community Development Director to be similar in nature to a listed use that requires a conditional use permit in the same zone~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	

17.08.050 Addition of a use to land use tables.

Upon an application or on its own initiative and pursuant to Chapter 17.86, the City Council may add a use to the land use tables established in this chapter if the Council makes all of the following findings:

A. That the addition of the use to the land use table will be ~~in accordance~~consistent with the purposes of this title and of the zone district or districts in which the use will be permitted;

B. That the use has similar basic characteristics as the present uses allowed in the district;

C. That the use will not generate a noticeably greater amount of odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence or hazard than the amount normally created by any of the other uses permitted in the district or districts in which the use will be permitted.

D. That the establishment of the use in the zone district or districts in which it will be permitted will not be detrimental to the public health, safety or welfare;

Chapter 17.10
LOW DENSITY RESIDENTIAL ZONES

Sections:

17.10.010 Application.
17.10.020 Permitted uses.
17.10.030 Lot area.
17.10.040 Lot dimensions.
17.10.050 Dwelling units per lot.
17.10.060 Coverage.
17.10.070 Building setback areas.
17.10.080 Distance between structures.
17.10.090 Height of structures.
17.10.100 Lot area less than 5,000 square feet.
17.10.110 Driveways.
17.10.120 Accessory structures.
17.10.130 Other setback standards.
17.10.140 Off-street parking.
17.10.150 Usable open space.
17.10.160 Landscaping.
17.10.170 Screening, fences, and walls.
17.10.180 Signs.
17.30.190 General provisions and standards.

17.10.010 Application.

This chapter shall apply to all land within the Low Density Residential (R-L-5, R-L-8, and R-L-12) zones.

17.10.020 Permitted uses.

A. Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.020.

B. Per Government Code Section 65852.21, ~~M~~multi-family dwellings proposed for any single-family zone district comprised of no more than two residential units ~~of four or less units may be allowed with a conditional use permit only when located on a corner lot (R-L-5 only)~~shall be a by-right permitted use and considered ministerially if the requirements of that statute are satisfied.~~.~~

Multi-family dwellings of three or four units may be allowed with a conditional use permit only when located on a corner lot (R-L-5 only).

Commented [TM75]: In light of the projected housing shortfall identified through the Housing Element update, should multifamily dwellings be allowed in R-L zone districts in addition to R-L-5?

Commented [GM76R75]: We did a more finite inventory update to ensure we do have adequate opportunity

17.10.030 Lot area.

A. The minimum lot area shall be as follows:

1. In the R-L-5 zone, 5,000 square feet, except as prescribed in Section 17.10.100.

2. In the R-L-8 zone, 8,000 square feet.

3. In the R-L-12 zone, 12,000 square feet.

17.10.040 Lot dimensions.

A. The minimum lot frontage shall be 40 feet.

B. The minimum lot width shall be:

Commented [Gd77]: Minimum lot frontage and lot width are different.
Should we change lot width to say average lot width?

Commented [TM78R77]: Sounds reasonable.

1. In the R-L-5 zone, 50 feet for interior lots and 60 feet for corner lots, except as prescribed in Section 17.10.100.

2. In the R-L-8 zone, 70 feet for interior lots and 75 feet for corner lots.

3. In the R-L-12 zone, 80 feet for interior lots and 90 feet for corner lots.

C. The minimum lot depth shall be:

1. In the R-L-5 zone, 90 feet, except as prescribed in Section 17.10.100.

2. In the R-L-8 zone, 95 feet.

3. In the R-L-12 zone, 100 feet.

D. Lots developed adjacent to an arterial or collector street are to be designed as walled or fenced back-on or side-on lots with a minimum five (5) and maximum ten (10) foot wide landscape easement continuous and adjacent to the street right-of-way line. The minimum lot dimensions are to be exclusive of the landscape easement area. The wall or fence shall be located in the landscape easement area adjacent to the easement line.

17.10.050 Dwelling units per lot.

Not more than one dwelling unit shall be allowed on each lot, unless approved as an accessory use to an allowed or approved conditional use, or approved as an accessory dwelling unit in accordance with Section 17.60.030.

17.10.060 Coverage.

The maximum coverage of a lot in the R-L-12 zone shall be 50%.

The maximum coverage of a lot in the R-L-5 and R-L-8 zones shall be determined by the combined building setback requirements, accessory structure limitations, and off-street parking requirements.

17.10.070 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet from the front lot line for livable building space and twenty (20) feet for garages, carports, and other non-livable building space.

C. The rear building setback shall be fifteen (15) feet from the rear lot line, except where there is a landscape easement with a wall or fence on the rear of the lot then the rear building setback shall be twenty (20) feet.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

F. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

G. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.10.080 Distances between structures.

The minimum distance between structures shall be 10 feet, except as provided by the building code.

17.10.090 Height of structures.

A. The maximum structure height shall be 35 feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.10.100 Lot area less than 5,000 square feet.

A. Notwithstanding Section 17.10.030, lots in the R-L-5 zone may have a lot area of between 3,600 and 4,999 square feet if all of the following standards are met:

1. ~~Each lot shall have only one dwelling unit. Second dwelling units are not permitted.~~

2. Not more than one hundred fifty (150) lots less than 5,000 square feet may be approved per tentative subdivision map.

3. Streets shall be constructed to public street standards.

4. All structures shall be constructed on site.

5. Each subdivision with small lots shall have at least three (3) different small lot floor plans with two (2) available elevation designs for each floor plan.

6. The primary frontage of the main structure shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.

7. The primary frontage of the main structure shall include the primary entrance and at least one window.

8. Required covered parking spaces shall be in garages. Carports are prohibited.

9. The width of the garage shall not be greater than fifty percent (50%) of the width of the structure.

Commented [TM79]: John Zumwalt raised an issue a few years ago as to whether a 5' or a 10' setback is required in cases in which a lot abuts a landscape lot dedicated to the City in fee. The following was outlined in email that I sent to John Doyel regarding the issue:

HMC § 17.10.070.F states, "Where there is a landscape easement with a wall or fence on the street side of the lot[,] the side yard setback area shall be measured from the easement area instead of the side lot line."

HMC § 17.98.020 defines "easement" as "a grant of property rights by the property owner to the public, or any specific person." For purposes of the landscape easement vs. landscape lot issue, they are both an "easement" by definition because the City is granted property rights in the landscape area and it is irrelevant whether the developer grants easement rights or fee title to the City. In such case, HMC § 17.10.070 applies and the "side yard setback area shall be measured from the easement area instead of the side lot line."

Also, the landscape areas cannot be "lots" for purposes of the Zoning Ordinance unless they meet the width requirements of HMC § 17.10.040. If the landscape areas are of insufficient width to be "lots" for purposes of the Zoning Ordinance, HMC § 17.10.070.E mandates that the side building setback area for the residential lots referenced by John Zumwalt shall be ten feet from the street side property line.

Conclusion: The applicable side yard setback is ten feet from the landscape "easement" boundary.

Does the City intend to continue the 10' setback requirement if a lot abuts a landscape lot?

Commented [TM80]: Deleted because ADU law does not allow for imposition of lot size requirements on ADUs. Per state law, the City can, by ordinance, limit ADU size to 850 SF or 1,000 SF for ADUs with more than one bedroom and may require 4' side and rear yard setbacks. If the City has no ADU ordinance, maximum unit sizes are 1,200 SF for new detached ADU and up to 50% of the floor area of the existing primary dwelling for a detached ADU (at least 800 SF).

Commented [Gd81]: Manufactured dwellings and mobile-homes are not permitted.

Commented [Gd82]: Elevations shall be submitted prior to advisory body approval.

10. Main structures shall include a covered front porch at least four (4) feet deep or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the main structure or a wall or fence between three (3) and four (4) feet high.

11. In order to create a diverse residential streetscape, there shall be a minimum two-(2) foot-stagger between adjacent lots.

12~~1~~.The Building Official shall not approve a building permit for a new residence on a lot with a lot area less than 5,000 square feet until the Community Development Director has determined that the standards identified in this section are met.

B. Lots with less than 5,000 square feet shall have the following minimum dimensions and building setback areas:

1. The minimum lot depth shall be seventy (70) feet.

2. The minimum lot width shall be forty (40) feet for interior lots and forty-five (45) feet for corner lots.

3. The minimum front building setback area shall be twelve (12) feet for livable space and eighteen (18) feet for garages.

4. The minimum rear yard building setback area shall be ten (10) feet for the first story and fifteen (15) feet for upper stories.

5. The minimum interior side yard building setback area shall be five (5) feet.

6. The minimum corner side yard building setback area shall be ten (10) feet.

7. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

~~7~~8. The maximum building height shall be thirty-five (35) feet.

~~8~~9. Lots shall provide for a usable open space area of a minimum three hundred (300) square feet. The open space shall be a minimum fifteen (15) feet wide.

C. Lots having a lot area of less than 3,600 square feet, or lots that do not meet the standards in this section may be approved through the planned unit development process per Chapter 17.82.

17.10.110 Driveways.

A. The width of a driveway and any paved area shall not cumulatively exceed forty (40) percent of the width of the lot's street frontage on which the driveway and any paved area faces. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved area of these driveways shall not exceed fifty (50) percent of the front building setback area.

~~B. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.~~

C. On key lots, the driveway shall be located on the side of the lot which is not adjacent to the rear lot line of the adjacent reverse corner lot.

17.10.120 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

Commented [Gd83]: DM requested this be added to the small lot standards

Commented [Gd84]: Should we increase the paved area to 50% allowance?
I know Building sees a lot of violations with this

Commented [TM85R84]: Does increasing the limit impact calculations for storm drain basin size?

Commented [GM86R84]: I have discussed this with various staff because the way the limitation reads, this is only enforceable in the required front setback area, so beyond the 20-ft, the stipulation no longer applies. We also don't limit the amount of backyard space we allow coverage on, in essence, a backyard can have 0 permeability, so the 40% coverage limitations are already severely skewed.

Commented [Gd87]: Suggested deletion - this requirement doesn't always make sense

Commented [TM88]: City should proceed with adoption of an ADU ordinance to establish parameters for ADUs.

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.10.130 Other setback standards.

A. Mechanical equipment shall be located a minimum of five (5) feet from a side lot line that adjoins a neighboring side lot line.

B. Garages or carports opening onto an alley shall be set back twenty-five (25) feet from the far side of the alley, provided that the structure, including roof overhang, shall not extend into the alley right-of-way.

C. Above or below ground swimming pools shall be set back five (5) feet from all lot lines.

D. Decks, balconies, and other types of platforms with a floor height over two (2) feet high shall be set back five (5) feet from the rear and interior side lot lines and ten (10) feet from the street side lot line.

E. Garages and carports opening on the street side lot line of a corner lot shall be set back twenty (20) feet from the street side lot line.

17.10.140 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter 17.54.

C. Required parking spaces may not be provided within any front, side, or rear building setback area, **except for uncovered driveways.**

D. 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 except 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.

E. All recreational vehicles or trailers parked in a location visible from the street are to be clean and maintained so as not to detract from the neighborhood. Also, see Chapter 10.76 of the Hanford Municipal Code.

F. No recreational vehicle or trailer shall be used as a residence.

Commented [TM89]: Subsection A. illustrates the need for an ADU ordinance. Under state law, the maximum setback is 4' for side and rear lot lines. Until the City adopts an ADU ordinance, the size limit for a detached ADU is 1,200 SF, which may be located within 4' of side and rear lot lines.

Commented [Gd90]: In looking at Visalia's pool equipment location allowances, they allow pool equipment to be located anywhere within the rear setback area.

Commented [Gd91]: Measured from water's edge.

G. 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 code.

H. Repair of vehicles owned by the resident 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 the front or street side building setback areas.

I. 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

~~J. Except for driveways allowed in the front building setback area, all additional parking for residential uses shall be to the rear or side of the dwelling. No parking shall occur in the front or street side building setback areas.~~

Commented [Gd92]: Except for driveways allowed in the front building setback area or alley setback area

17.10.150 Usable open space.

Each lot shall provide for a usable open space area of a minimum 400 square feet that is a minimum fifteen (15) feet wide.

17.10.160 Landscaping.

A. Landscaping shall be provided for each use as prescribed in in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred percent (100%) of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

C. Required landscaping is to be installed within six (6) months after occupancy of the residence, apartment or office and continually maintained pursuant to Chapter 17.52.

D. Landscaped areas are not to be used or converted to parking areas or any other use which results in the damage or removal of the landscaping. However, the widening 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.

Commented [Gd93]: Should we look at increasing this allowance? I know building has several violations they deal with regarding this issue

Commented [TM94R93]: Will a certain amount of permeable surface have to be retained for purposes of storm drainage?

E. In order to provide a tree lined street in the residential zone districts, the following requirements shall be provided in the required parkway:

1. Two (2) street trees, a minimum fifteen (15) gallon size, shall be planted on all lots 6,000 square feet or greater. One of the two (2) front yard trees must be planted twelve (12) feet (no greater or no less) from the face of the front lot line street curb.

Commented [Gd95]: The tree shall be planted in the parkway. If there is no parkway, the tree shall be planted four feet behind the sidewalk, or if there is no sidewalk, then four feet behind the street curb.
Should this be changed to be measured from property line – in some areas, the property line ends up being right at 12 feet from the face of the curb.

2. One (1) street tree~~, or two (2) street trees on corner lots,~~ a minimum fifteen (15) gallon size, shall be planted on all lots less than 6,000 square feet. The tree shall be planted in the parkway. If there is no parkway the tree shall be planted four (4) feet behind the sidewalk, or if there is no sidewalk then four (4) feet behind the street curb.

Commented [GM96]: Delete this line, since the additional corner-lot street trees are required by E. 3.

3. There shall be two (2) additional street trees, a minimum fifteen (15) gallon size, planted on all corner lots in the parkway adjacent to the street side lot line.

F. Front yard landscaping. If front yard landscaping is provided by the builder, a prototype landscape plan is required when a building permit is requested to show that the trees will be planted as stated above. The front yard landscaping is to be installed within thirty (30) days from final building inspection approval. If front yard landscaping is not provided by the builder a fee of fifty dollars ($50.00) for each required tree shall be collected when a building permit is requested. When the house is occupied, the builder, within thirty (30) days, is required to plant one fifteen (15) gallon tree at the twelve (12) foot setback line from the street curb. If the homeowner plants the remaining three (3) trees as described above within one year of occupancy, the homeowner will be reimbursed the fifty dollars ($50.00) per tree up to three (3) trees. The builder will be reimbursed the fifty dollars ($50.00) for the required tree at the twelve (12) foot line.

Commented [TM97]: Does this figure need to be updated?

17.10.170 Screening, fences, and walls.

Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110 and** 17.50.120.

17.10.180 Signs.

Signs placed in the R-L zones shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.10.190 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.12
MEDIUM DENSITY RESIDENTIAL ZONE

Sections:

17.12.010 Application.
17.12.020 Permitted uses.
17.12.030 Lot area.
17.12.040 Lot dimensions.
17.12.050 Site area per dwelling unit.
17.12.060 Coverage.
17.12.070 Building setback areas.
17.12.080 Distance between structures.
17.12.090 Height of structures.
17.12.100 Lot area less than 5,000 square feet.
17.12.110 Driveways.
17.12.120 Accessory structures.
17.12.130 Other setback standards.
17.12.140 Off-street parking.
17.12.150 Usable open space.
17.12.160 Landscaping.
17.12.170 Screening, fences, and walls.
17.12.180 Signs.
17.12.190 General provisions and standards.

17.12.010 Application.

This chapter shall apply to all land within the Medium Density Residential (R-M) zone.

17.12.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.020.

17.12.030 Lot area.

A. The minimum lot area shall be five thousand (5,000) square feet, except as prescribed in Section 17.12.100.

B. Existing lots of less than five thousand (5,000) square feet may be developed in accordance with the specifications of this section.

17.12.040 Lot dimensions.

A. The minimum lot frontage shall be forty (40) feet.

B. The minimum lot width shall be fifty (50) feet for interior lots and sixty (60) feet for corner lots, except as prescribed in Section 17.12.100.

Commented [Gd98]: The minimum width is 50, but the minimum lot frontage is 40 – should we change the lot width minimum to be an average?

C. The minimum lot depth shall be ninety (90) feet, except as prescribed in Section 17.12.100.

D. Lots developed adjacent to an arterial or collector street are to be designed as walled or fenced back-on or side-on lots with a minimum five (5) and maximum ten (10) foot wide landscape easement continuous and adjacent to the street right-of-way line. The minimum lot dimensions are to be exclusive of the landscape easement area. The wall or fence shall be located in the landscape easement area adjacent to the easement line.

17.12.050 Site area per dwelling unit.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet.

17.12.060 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.12.70 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet from the front lot line for livable building space and twenty (20) feet for garages, carports, and other non-livable building space.

C. The rear building setback shall be fifteen (15) feet from the rear lot line, except where there is a landscape easement with a wall or fence on the rear of the lot then the rear building setback shall be twenty (20) feet.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

F. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

G. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.12.080 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.12.090 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.12.100 Lot area less than 5,000 square feet.

A. Notwithstanding Section 17.12.030, lots may have a lot area of between 3,600 and 4,999 square feet if all of the following standards are met:

1. Each lot shall have only one dwelling unit. Second dwelling units are not permitted.

2. Not more than one hundred fifty (150) lots less than five thousand (5,000) square feet may be approved per tentative subdivision map.

3. Streets shall be constructed to public street standards.

4. All structures shall be constructed on site.

5. Each subdivision with small lots shall have at least three (3) different small lot floor plans with two (2) available elevation designs for each floor plan.

6. The primary frontage of the main structure shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.

7. The primary frontage of the main structure shall include the primary entrance and at least one window.

8. Required covered parking spaces shall be in garages. Carports are prohibited.

9. The width of the garage shall not be greater than fifty percent (50%) of the width of the structure.

10. Main structures shall include a covered front porch at least four (4) feet deep or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the main structure or a wall or fence between three (3) and four (4) feet high.

11. In order to create a diverse residential streetscape, there shall be a minimum two-(2) foot-stagger between adjacent lots.

12~~1~~. The Building Official shall not approve a building permit for a new residence on a lot with a lot area less than 5,000 square feet until the Community Development Director has determined that the standards identified in this section are met.

B. Lots with less than 5,000 square feet shall have the following minimum dimensions and building setback areas:

1. The minimum lot depth shall be seventy (70) feet.

2. The minimum lot width shall be forty (40) feet for interior lots and forty-five (45) feet for corner lots.

3. The minimum front building setback area shall be twelve (12) feet for livable space and eighteen (18) feet for garages.

4. The minimum rear yard building setback area shall be ten (10) feet for the first story and fifteen (15) feet for upper stories.

5. The minimum interior side yard building setback area shall be five (5) feet.

6. The minimum corner side yard building setback area shall be ten (10) feet.

Commented [TM99]: See comments above regarding ADUs.

Commented [Gd100]: Manufactured dwellings and mobile-homes are not permitted.

Commented [Gd101]: Elevations must be submitted prior to discretionary body approval

Commented [Gd102]: DM requested this be added to the small lot standards

7. The maximum building height shall be thirty-five (35) feet.

8. Lots shall provide for a usable open space area of a minimum three hundred (300) square feet. The open space shall be a minimum fifteen (15) feet wide.

C. Lots having a lot area of less than 3,600 square feet, or lots that do not meet the standards in this section may be approved through the planned unit development process per Chapter 17.82.

17.12.110 Driveways.

A. The width of a driveway and any paved area shall not cumulatively exceed forty percent (40%) of the width of the lot's street frontage on which the driveway and any paved area faces. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved area of these driveways shall not exceed fifty percent (50%) of the front building setback area.

Commented [Gd103]: Should we increase?

~~B. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.~~

Commented [Gd104]: Suggested deletion - this requirement doesn't always make sense

C. On key lots the driveway shall be located on the side of the lot which is not adjacent to the rear lot line of the adjacent reverse corner lot.

17.12.120 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

Commented [TM105]: See comments above regarding ADUs.

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.12.130 Other setback standards.

A. Mechanical equipment shall be located a minimum of five (5) feet from a side lot line that adjoins a neighboring side lot line.

B. Garages or carports opening onto an alley shall be set back twenty-five (25) feet from the far side of the alley, provided that the structure, including roof overhang, shall not extend into the alley right-of-way.

C. Above or below ground swimming pools shall be set back five (5) feet from all lot lines.

D. Decks, balconies, and other types of platforms with a floor height over two (2) feet high shall be set back five (5) feet from the rear and interior side lot lines and ten (10) feet from the street side lot line.

E. Garages and carports opening on the street side lot line of a corner lot shall be set back twenty (20) feet from the street side lot line.

17.12.140 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter 17.54.

C. Required parking spaces may not be provided within any front, side, or rear building setback area, **except for uncovered driveways.**

Commented [Gd106]: Suggestion: For multi-family projects providing 10 units or more, required parking spaces, covered and uncovered, shall be located a minimum of five (5) feet from any rear or side property line and 10 feet from a street-side property line.

~~D. The minimum parking space dimensions shall be nine (9) feet wide by eighteen and one-half (18.5) feet long.~~

E. 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 except 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.

F. All recreational vehicles or trailers parked in a location visible from the street are to be clean and maintained so as not to detract from the neighborhood. Also, see Chapter 10.76 of the Hanford Municipal Code.

G. No recreational vehicle or trailer shall be used as a residence.

H. 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 code.

I. Repair of vehicles owned by the resident 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 the front or street side building setback areas.

J. 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.

~~K. Except for driveways allowed in the front building setback area, all additional parking for residential uses shall be to the rear or side of the dwelling. No parking shall occur in the front or street side building setback areas.~~

17.12.150 Usable open space.

A. Lots with four (4) or less dwelling units shall provide for a usable open space area of a minimum three hundred (300) square feet per dwelling unit. The open space shall be a minimum fifteen (15) feet wide.

B. Lots with five (5) or more dwelling units shall provide for a usable open space area equal to five percent (5%) of the lot area. Where multiple lots that together make up a single development site, the required open space may be combined into common open space areas that are accessible to all residents of the site.

17.12.160 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred percent (100%) of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

C. Required landscaping is to be installed within six (6) months after occupancy of the residence, apartment or office and continually maintained pursuant to Chapter 17.52.

D. Landscaped areas are not to be used or converted to parking areas or any other use which results in the damage or removal of the landscaping. However, the widening 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.

E. In order to provide a tree lined street in the residential zone districts, the following requirements shall be provided in the required parkway:

1. Two (2) street trees, a minimum fifteen (15) gallon size, shall be planted on all lots 6,000 square feet or greater. One of the two (2) front yard trees must be planted twelve (12) feet (no greater or no less) from the face of the front lot line street curb.

2. One (1) street tree, a minimum fifteen (15) gallon size, shall be planted on all lots less than six thousand (6,000) square feet. The tree shall be planted in the parkway. If there is no parkway the tree shall be planted four (4) feet behind the sidewalk, or if there is no sidewalk then four (4) feet behind the street curb.

3. There shall be two (2) additional street trees, a minimum fifteen (15) gallon size, planted on all corner lots in the parkway adjacent to the street side lot line.

F. Front yard landscaping. If front yard landscaping is provided by the builder, a prototype landscape plan is required when a building permit is requested to show that the trees will be planted as stated above. The front yard landscaping is to be installed within thirty (30) days from final building inspection approval. If front yard landscaping is not provided by the builder a fee of fifty dollars ($50.00) for each required tree shall be collected when a building permit is requested. When the house is occupied, the builder, within thirty (30) days, is required to plant one fifteen (15) gallon tree at the twelve (12) foot setback line from the street curb. If the homeowner plants the remaining three (3) trees as described above within one year of occupancy, the homeowner will be reimbursed the fifty dollars ($50.00) per tree up to three (3) trees. The builder will be reimbursed the fifty dollars ($50.00) for the required tree at the twelve (12) foot line.

Commented [TM107]: Update?

G. On corner lots where the house and garage both front toward the front of the lot the area between the fence and back of sidewalk along the street side lot line shall be landscaped with two

(2) of the four (4) required street trees and with live ornamental bushes and shrubs with an automatic irrigation system at the time of house construction.

17.12.170 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110 and** 17.50.120.

17.12.180 Signs.

Signs placed in the R-M zones shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.12.190 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.14
HIGH DENSITY RESIDENTIAL ZONE

Sections:

17.14.010 Application.
17.14.020 Permitted uses.
17.14.030 Lot area.
17.14.040 Lot dimensions.
17.14.050 Site area per dwelling unit.
17.14.060 Coverage.
17.14.070 Building setback areas.
17.14.080 Distance between structures.
17.14.090 Height of structures.
17.14.100 Driveways.
17.14.110 Accessory structures.
17.14.120 Other setback standards.
17.14.130 Off-street parking.
17.14.140 Usable open space.
17.14.150 Landscaping.
17.14.160 Screening, fences, and walls.
17.14.170 Signs.
17.14.180 General provisions and standards.

17.14.010 Application.

This chapter shall apply to all land within the High Density Residential (R-H) zone.

17.14.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.020.

17.14.030 Lot area.

A. The minimum lot area shall be five thousand (5,000) square feet.

B. Existing lots of less than five thousand (5,000) square feet may be developed in accordance with the specifications of this section.

17.14.040 Lot dimensions.

A. The minimum lot frontage shall be forty (40) feet.

B. The minimum lot width shall be fifty (50) feet for interior lots and sixty (60) feet for corner lots.

C. The minimum lot depth shall be ninety (90) feet.

D. Lots developed adjacent to an arterial or collector street are to be designed as walled or fenced back-on or side-on lots with a minimum five (5) and maximum ten (10) foot wide landscape easement continuous and adjacent to the street right-of-way line. The minimum lot dimensions are to be exclusive of the landscape easement area. The wall or fence shall be located in the landscape easement area adjacent to the easement line.

17.14.050 Site area per dwelling unit.

The minimum site area per dwelling unit shall be fifteen hundred (1,500) square feet.

17.14.060 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.14.70 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet from the front lot line for livable building space and twenty (20) feet for garages, carports, and other non-livable building space.

C. The rear building setback shall be fifteen (15) feet from the rear lot line, except where there is a landscape easement with a wall or fence on the rear of the lot then the rear building setback shall be twenty (20) feet.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

F. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

G. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.14.080 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.14.090 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.14.100 Driveways.

A. The width of a driveway and any paved area shall not cumulatively exceed forty (40) percent of the width of the lot's street frontage on which the driveway and any paved area faces. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved area of these driveways shall not exceed fifty (50) percent of the front building setback area.

~~B. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.~~

C. On key lots the driveway shall be located on the side of the lot which is not adjacent to the rear lot line of the adjacent reverse corner lot.

17.14.110 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.14.120 Other setback standards.

A. Mechanical equipment shall be located a minimum of five (5) feet from a side lot line that adjoins a neighboring side lot line.

B. Garages or carports opening onto an alley shall be set back twenty-five (25) feet from the far side of the alley, provided that the structure, including roof overhang, shall not extend into the alley right-of-way.

C. Above or below ground swimming pools shall be set back five (5) feet from all lot lines.

D. Decks, balconies, and other types of platforms with a floor height over two (2) feet high shall be set back five (5) feet from the rear and interior side lot lines and ten (10) feet from the street side lot line.

E. Garages and carports opening on the street side lot line of a corner lot shall be set back twenty (20) feet from the street side lot line.

Commented [Gd108]: Suggested deletion - this requirement doesn't always make sense

Commented [TM109]: See comments above regarding ADUs.

17.14.130 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Uses shall provide parking as prescribed in Chapter 17.54.

C. Required parking spaces may not be provided within any front, side, or rear building setback area, **except for uncovered driveways.**

Commented [Gd110]: Suggestion: For multi-family projects providing 10 units or more, required parking spaces, covered and uncovered, shall be located a minimum of five (5) feet from any rear or side property line and 10 feet from a street-side property line.

~~D. The minimum parking space dimensions shall be nine (9) feet wide by eighteen and one-half (18.5) feet long.~~

E. 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 except 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.

F. All recreational vehicles or trailers parked in a location visible from the street are to be clean and maintained so as not to detract from the neighborhood. Also, see Chapter 10.76 of the Hanford Municipal Code.

G. No recreational vehicle or trailer shall be used as a residence.

H. 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 code.

I. Repair of vehicles owned by the resident 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 the front or street side building setback areas.

J. 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

~~K. Except for driveways allowed in the front building setback area, all additional parking for residential uses shall be to the rear or side of the dwelling. No parking shall occur in the front or street side building setback areas.~~

17.14.140 Usable open space.

A. Lots with four (4) or less dwelling units shall provide for a usable open space area of a minimum three hundred (300) square feet per dwelling unit. The open space shall be a minimum fifteen (15) feet wide.

B. Lots with five (5) or more dwelling units shall provide for a usable open space area equal to five percent (5%) of the lot area. Where multiple lots that together make up a single development

site, the required open space may be combined into common open space areas that are accessible to all residents of the site.

17.14.150 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred percent (100%) of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

C. Required landscaping is to be installed within six (6) months after occupancy of the residence, apartment or office and continually maintained pursuant to Chapter 17.52.

D. Landscaped areas are not to be used or converted to parking areas or any other use which results in the damage or removal of the landscaping. However, the widening 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.

E. In order to provide a tree lined street in the residential zone districts, the following requirements shall be provided in the required parkway:

1. Two (2) street trees, a minimum fifteen (15) gallon size, shall be planted on all lots six thousand (6,000) square feet or greater. One of the two (2) front yard trees must be planted twelve (12) feet (no greater or no less) from the face of the front lot line street curb.

2. One (1) street trees, a minimum fifteen (15) gallon size, shall be planted on all lots less than six thousand (6,000) square feet. The tree shall be planted in the parkway. If there is no parkway the tree shall be planted four (4) feet behind the sidewalk, or if there is no sidewalk then four (4) feet behind the street curb.

3. There shall be two (2) additional street trees, a minimum fifteen (15) gallon size, planted on all corner lots in the parkway adjacent to the street side lot line.

F. Front yard landscaping. If front yard landscaping is provided by the builder, a prototype landscape plan is required when a building permit is requested to show that the trees will be planted as stated above. The front yard landscaping is to be installed within thirty (30) days from final building inspection approval. If front yard landscaping is not provided by the builder a fee of fifty dollars ($50.00) for each required tree shall be collected when a building permit is requested. When the house is occupied, the builder, within thirty (30) days, is required to plant one fifteen (15) gallon tree at the twelve (12) foot setback line from the street curb. If the homeowner plants the remaining three (3) trees as described above within one year of occupancy, the homeowner will be reimbursed the fifty dollars ($50.00) per tree up to three (3) trees. The builder will be reimbursed the fifty dollars ($50.00) for the required tree at the twelve (12) foot line.

Commented [TM111]: Update figure?

G. On corner lots where the house and garage both front toward the front of the lot the area between the fence and back of sidewalk along the street side lot line shall be landscaped with two (2) of the four (4) required street trees and with live ornamental bushes and shrubs with an automatic irrigation system at the time of house construction.

17.14.160 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110 and** 17.50.120.

17.14.170 Signs.

Signs placed in the R-H zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.14.180 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.16
NEIGHBORHOOD COMMERCIAL ZONE

Sections:

17.16.010 Application.
17.16.020 Permitted uses.
17.16.030 Site area.
17.16.040 Lot dimensions.
17.16.050 Coverage.
17.16.060 Building setback areas.
17.16.070 Distance between structures.
17.16.080 Height of structures.
17.16.090 Driveways.
17.16.100 Off-street parking.
17.16.110 Usable open space.
17.16.120 Landscaping.
17.16.130 Screening, fences, and walls.
17.16.140 Signs.
17.16.150 General provisions and standards.

17.16.010 Application.

This chapter shall apply to all land within the Neighborhood Commercial (C-N) zone.

17.16.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.16.030 Site area.

A. The minimum site area shall be three (3) acres. The site may be divided into multiple separate lots if a reciprocal use agreement for shared common access and parking areas is recorded with the Kings County recorder's office.

B. Existing sites of less than three (3) acres may be developed in accordance with the specifications of this section.

17.16.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.16.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.16.60 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.16.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.16.080 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.16.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

17.16.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.16.110 Usable open space.

New developments shall provide a common outdoor, shaded sitting area for use by customers, ~~**unless the Site Plan Review Committee determines the use does not require the shaded open space**~~. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

Commented [Gd112]: Not all uses need common outdoor, shaded sitting areas - suggestion: allow SPR Committee to determine if it is necessary for the use

Commented [TM113R112]: The SPR Committee will be eliminated and the CD Director will hold such authority. If sitting areas will not be required in all cases, the circumstances under which the requirement will be inapplicable should be identified in the ordinance so the CD Director does not exercise discretionary authority.

17.16.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~not less than fifteen (15) feet~~ from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.16.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Chapter 17.50.1**10.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within an any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

17.16.140 Signs.

Signs placed in the C-N zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.16.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

C. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.18
REGIONAL COMMERCIAL ZONE

Sections:

17.18.010 Application.
17.18.020 Permitted uses.
17.18.030 Site area.
17.18.040 Lot dimensions.
17.18.050 Coverage.
17.18.060 Building setback areas.
17.18.070 Distance between structures.
17.18.080 Height of structures.
17.18.090 Driveways.
17.18.100 Off-street parking.
17.18.110 Usable open space.
17.18.120 Landscaping.
17.18.130 Screening, fences, and walls.
17.18.140 Signs.
17.18.150 General provisions and standards.

17.18.010 Application.

This chapter shall apply to all land within the Regional Commercial (C-R) zone.

17.18.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.18.030 Site area.

A. The minimum site area shall be ten (10) acres. The site may be divided into multiple separate lots if a reciprocal use agreement for shared common access and parking areas is recorded with the Kings County recorder's office.

B. Existing sites of less than ten (10) acres may be developed in accordance with the specifications of this section.

17.18.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.18.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.18.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.18.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.18.080 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.18.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

17.18.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.18.110 Usable open space.

New developments shall provide a common outdoor, shaded sitting area for use by customers, ~~**unless the Site Plan Review Committee determines the use does not require the shaded open space**~~.. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

Commented [Gd114]: Not all uses need common outdoor, shaded sitting areas - suggestion: allow SPR Committee to determine if it is necessary for the use:

Commented [TM115R114]: See comment above re CD Director authority over SPR matter and exercise of discretionary authority.

17.18.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~not less than fifteen (15) feet~~ from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.18.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within an any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

17.18.140 Signs.

Signs placed in the C-R zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.18.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. The first phase of development of a new site shall include a structure of at least twenty thousand (20,000) square feet occupied by a single business.

C. New pad lots along the street frontages of Lacey Boulevard and 12th Avenue shall not be created and developed prior to lots without street frontage within the same site.

D. Existing pad lots may be designed and developed with parking lots and building orientation that will eventually merge with larger adjacent developments as if developed as a pad lot of a larger site development.

E. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

F. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.20
SERVICE COMMERCIAL ZONE

Sections:

17.20.010 Application.
17.20.020 Permitted uses.
17.20.030 Site area.
17.20.040 Lot dimensions.
17.20.050 Coverage.
17.20.060 Building setback areas.
17.20.070 Distance between structures.
17.20.080 Height of structures.
17.20.090 Driveways.
17.20.100 Off-street parking.
17.20.110 Usable open space.
17.20.120 Landscaping.
17.20.130 Screening, fences, and walls.
17.20.140 Signs.
17.20.150 General provisions and standards.

17.20.010 Application.

This chapter shall apply to all land within the Service Commercial (C-S) zone.

17.20.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.20.030 Site area.

The minimum site area shall be five thousand (5,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

17.20.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.20.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.20.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be a minimum of fifteen (15) feet, except that in C-S zones bounded by State Route 198, 10th Avenue, 11th Avenue, and Sixth Street there is no minimum front building setback area requirement.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except that where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.20.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.20.080 Height of structures.

A. The maximum structure height shall be fifty (50) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.20.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Sites with alleys should utilize alley access to minimize driveways on streets to the greatest extent possible.

17.20.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Parking areas shall not be closer than five (5) feet to any front or street side lot line. The area between the lot line and parking area shall be landscaped.

C. New parking areas should be located behind or to the side of buildings, not between buildings and the street.

17.20.110 Usable open space.

There is no minimum requirement for usable open space.

17.20.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~**not less than fifteen (15) feet**~~ from a lot line adjoining a street, except where the setback area is covered by structures, parking, or driveways.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.20.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.1**10.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

17.20.140 Signs.

Signs placed in the C-S zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.20.150 General provisions and standards.

A. No business, service, or process that is not a part of the main use of the site shall be conducted outside a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

C. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.22
HIGHWAY COMMERCIAL ZONE

Sections:

17.22.010 Application.
17.22.020 Permitted uses.
17.22.030 Site area.
17.22.040 Lot dimensions.
17.22.050 Coverage.
17.22.060 Building setback areas.
17.22.070 Distance between structures.
17.22.080 Height of structures.
17.22.090 Driveways.
17.22.100 Off-street parking.
17.22.110 Usable open space.
17.22.120 Landscaping.
17.22.130 Screening, fences, and walls.
17.22.140 Signs.
17.22.150 General provisions and standards.

17.22.010 Application.

This chapter shall apply to all land within the Highway Commercial (C-H) zone.

17.22.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.22.030 Site area.

The minimum site area shall be five thousand (5,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

17.22.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.22.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.22.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be a minimum of fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except that where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.22.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.22.080 Height of structures.

A. The maximum structure height shall be fifty (50) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.22.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Sites with alleys should utilize alley access to minimize driveways on streets to the greatest extent possible.

17.22.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Parking areas shall not be closer than five (5) feet to any front or street side lot line. The area between the lot line and parking area shall be landscaped.

C. New parking areas should be located behind or to the side of buildings, not between buildings and the street.

17.22.110 Usable open space.

There is no minimum requirement for usable open space.

Commented [Gd116]: Suggested deletion: parking can't have a five-foot setback when 17.54.090(B) states that parking can't be located in the front or street side setbacks, which are both 15 feet. The 15 ft. would take precedence over the 5 ft., since it's the more restrictive standard, per 17.02.100(A). Also applies to 17.20.100(B) where the front and street side setbacks are 15 ft.

Commented [TM117R116]: I agree.

17.22.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~**not less than fifteen (15) feet**~~ from a lot line adjoining a street, except where the setback area is covered by structures, parking, or driveways.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.22.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.1**10.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

Commented [TM118]: The SPR chapter will be modified so that the SPR process does not involve discretionary authority. Either this section must identify how fence and wall height will be established or all walls and fences must be 7' in height. The approach that is ultimately identified to determine wall and fence height should be identified in the corresponding sections for every zone district.

17.22.140 Signs.

Signs placed in the C-H zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.22.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

C. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

C. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.24
NEIGHBORHOOD MIXED USE ZONE

Sections:

17.24.010 Application.
17.24.020 Permitted uses.
17.24.030 Site area.
17.24.040 Lot dimensions.
17.24.050 Coverage.
17.24.060 Building setback areas.
17.24.070 Distance between structures.
17.24.080 Height of structures.
17.24.090 Driveways.
17.24.100 Off-street parking.
17.24.110 Usable open space.
17.24.120 Landscaping.
17.24.130 Screening, fences, and walls.
17.24.140 Signs.
17.24.150 General provisions and standards.

17.24.010 Application.

This chapter shall apply to all land within the Neighborhood Mixed Use (MX-N) zone.

17.24.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.24.030 Site area.

A. The minimum site area shall be five thousand (5,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

B. Between twenty-five percent (25%) and seventy-five percent (75%) of the contiguously zoned parcels in an MX-N zone shall be reserved for residential use.

17.24.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.24.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.24.60 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.24.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.24.080 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.24.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

17.24.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.24.110 Usable open space.

A. New commercial developments shall provide a common outdoor, shaded sitting area for use by customers, ~~**unless the Site Plan Review Committee determines the use does not require the shaded open space**~~. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

Commented [TM119]: See comments above regarding CD Director's exercise of non-discretionary SPR authority.

Commented [Gd120]: Not all uses need common outdoor, shaded sitting areas - suggestion: allow SPR Committee to determine if it is necessary for the use:

B. Lots with four (4) or less dwelling units shall provide for a usable open space area of a minimum three hundred (300) square feet per dwelling unit. The open space shall be a minimum fifteen (15) feet wide.

C. Lots with five (5) or more dwelling units shall provide for a usable open space area equal to five percent (5%) of the lot area. Where multiple lots that together make up a single development site, the required open space may be combined into common open space areas that are accessible to all residents of the site.

17.24.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~**not less than fifteen (15) feet**~~ from a lot line adjoining a street.

Landscaping shall be provided and permanently maintained in **the required** setback area~~**. not less than ten (10) feet**~~ from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.24.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

Commented [TM121]: See comments above reference SPR non-discretionary authority.

17.24.140 Signs.

Signs placed in the MX-N zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.24.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mixed Use Neighborhood zone districts shall be designed to provide and encourage walking within the commercial uses and between the commercial uses and the residential uses within the MX-N zone and other nearby residential uses. At a minimum, this shall be accomplished with a

minimum ten (10) foot wide pedestrian path of travel between commercial sites and all residential sites within the MX-N zone.

C. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

D. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.26
CORRIDOR MIXED USE ZONE

Sections:

17.26.010 Application.
17.26.020 Permitted uses.
17.26.030 Site area.
17.26.040 Lot dimensions.
17.26.050 Coverage.
17.26.060 Building setback areas.
17.26.070 Distance between structures.
17.26.080 Height of structures.
17.26.090 Driveways.
17.26.100 Off-street parking.
17.26.110 Usable open space.
17.26.120 Landscaping.
17.26.130 Screening, fences, and walls.
17.26.140 Signs.
17.26.150 General provisions and standards.

17.26.010 Application.

This chapter shall apply to all land within the Corridor Mixed Use (MX-C) zone.

17.26.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.26.030 Site area.

The minimum site area shall be five thousand (5,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

17.26.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.26.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.26.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.26.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.26.080 Height of structures.

A. The maximum structure height shall be fifty (50) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.26.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

17.26.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.26.110 Usable open space.

A. New commercial developments with a site area over one (1) acre shall provide a common outdoor, shaded sitting area for use by customers, ~~**unless the Site Plan Review Committee determines the use does not require the shaded open space**~~. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

Commented [Gd122]: Not all uses need common outdoor, shaded sitting areas - suggestion: allow SPR Committee to determine if it is necessary for the use

Commented [TM123]: See comments above regarding CD Director non-discretionary SPR authority.

B. Lots with four (4) or less dwelling units shall provide for a usable open space area of a minimum three hundred (300) square feet per dwelling unit. The open space shall be a minimum fifteen (15) feet wide.

C. Lots with five (5) or more dwelling units shall provide for a usable open space area equal to five percent (5%) of the lot area. Where multiple lots that together make up a single development

site, the required open space may be combined into common open space areas that are accessible to all residents of the site.

17.26.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in a setback area not less than fifteen (15) feet from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.26.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.120.

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, ~~except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM124]: See comments above regarding CD Director's non-discretionary SPR authority.

17.26.140 Signs.

Signs placed in the MX-C zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.26.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mixed Use Corridor zone districts shall be designed to provide and encourage walking within the commercial uses and between the commercial uses and the residential uses within the MX-C zone and other nearby residential uses. At a minimum, this shall be accomplished with a minimum six (6) foot wide pedestrian path of travel between site entrances and the public sidewalk.

C. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

D. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.28
DOWNTOWN MIXED-USE ZONE

Sections:

17.28.010 Application.
17.28.020 Permitted uses.
17.28.030 Site area.
17.28.040 Lot dimensions.
17.28.050 Coverage.
17.28.060 Building setback areas.
17.28.070 Distance between structures.
17.28.080 Height of structures.
17.28.090 Driveways.
17.28.100 Off-street parking.
17.28.110 Usable open space.
17.28.120 Landscaping.
17.28.130 Screening, fences, and walls.
17.28.140 Signs.
17.28.150 General provisions and standards.

17.28.010 Application.

This chapter shall apply to all land within the Downtown Mixed Use (MX-D) zone.

17.28.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.28.030 Site area.

The minimum site area shall be five thousand (5,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

17.28.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.28.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.28.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. There is no front building setback area.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.28.070 Distances between structures.

All distances allowed by the building code are allowed.

17.28.080 Height of structures.

A. The maximum structure height shall be one hundred (100) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.28.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Sites with alleys should utilize alley access to minimize driveways on streets to the greatest extent possible.

17.28.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.28.110 Usable open space.

There is no standard requirement for minimum usable open space. However, conditional uses may be required to provide usable open space as a condition of approval.

17.28.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in a setback area not less than fifteen (15) feet from a lot line adjoining a street, **except where the setback area is covered by structures, parking, or driveways.**

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.28.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, ~~except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM125]: See comments above regarding SPR authority limited to non-discretionary matters.

17.28.140 Signs.

Signs placed in the MX-D zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.28.150 General provisions and standards.

A. All businesses, services, and processes shall be conducted entirely within a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mixed Use Downtown zone districts shall be designed to provide and encourage walking within the commercial uses and between the commercial uses and the residential uses within the MX-D zone and other nearby residential uses. At a minimum, this shall be accomplished with a minimum six (6) foot wide pedestrian path of travel between site entrances and the public sidewalk.

C. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

D. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.30
OFFICE RESIDENTIAL ZONE

Sections:

17.30.010 Application.
17.30.020 Permitted uses.
17.30.030 Lot area.
17.30.040 Lot dimensions.
17.30.050 Site area per dwelling unit.
17.30.060 Coverage.
17.30.070 Building setbacks.
17.30.080 Distance between structures.
17.30.090 Height of structures.
17.30.100 Conversion to non-residential use.
17.30.110 Driveways.
17.30.120 Accessory structures.
17.30.130 Other setback standards.
17.30.140 Off-street parking.
17.30.150 Usable open space.
17.30.160 Landscaping.
17.30.170 Screening, fences, and walls.
17.30.180 Signs.
17.30.190 General provisions and standards.

17.30.010 Application.

This chapter shall apply to all land within the Office Residential (OR) zone.

17.30.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.30.030 Lot area.

A. The minimum lot area shall be five thousand (5,000) square feet.

B. Existing lots of less than five thousand (5,000) square feet may be developed in accordance with the specifications of this section.

17.30.040 Lot dimensions.

A. The minimum lot frontage shall be forty (40) feet.

B. The minimum lot width shall be fifty (50) feet for interior lots and 60 feet for corner lots.

C. The minimum lot depth shall be ninety (90) feet.

D. Lots developed adjacent to an arterial or collector street are to be designed as walled or fenced back-on or side-on lots with a minimum five (5) and maximum ten (10) foot wide landscape easement continuous and adjacent to the street right-of-way line. The minimum lot dimensions are to be exclusive of the landscape easement area. The wall or fence shall be located in the landscape easement area adjacent to the easement line.

17.30.050 Site area per dwelling unit.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet.

17.30.060 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.30.070 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be fifteen (15) feet from the front lot line for livable building space and twenty (20) feet for garages, carports, and other non-livable building space.

C. The rear building setback shall be fifteen (15) feet from the rear lot line, except where there is a landscape easement with a wall or fence on the rear of the lot then the rear building setback shall be twenty (20) feet.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The rear building setback area may be reduced to a minimum of five (5) if the lot is converted to non-residential use and the rear lot line is adjacent to an alley.

Commented [TM126]: Permanently converted?

F. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

G. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

H. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.30.080 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.30.090 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.30.100 Conversion to non-residential use.

When an existing building that has been used as a residence is partially or fully converted to non-residential use, the following standards shall apply:

A. No exterior alterations or additions shall be permitted that significantly alters the original architectural style of the building.

B. Exterior alterations or additions to buildings shall be minimized to the extent possible.

Commented [TM127]: How is "extent possible" determined? We want to avoid creating discretionary authority.

17.30.110 Driveways.

A. The width of a driveway and any paved area shall not cumulatively exceed forty percent (40%) of the width of the lot's street frontage on which the driveway and any paved area faces. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved area of these driveways shall not exceed fifty percent (50%) of the front building setback area.

~~B. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.~~

Commented [Gd128]: Suggested deletion - this requirement doesn't always make sense

C. On key lots the driveway shall be located on the side of the lot which is not adjacent to the rear lot line of the adjacent reverse corner lot.

17.30.120 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

Commented [TM129]: See comments above regarding ADUs.

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.30.130 Other setback standards.

A. Mechanical equipment shall be located a minimum of five (5) feet from a side lot line that adjoins a neighboring side lot line.

B. Garages or carports opening onto an alley shall be set back twenty-five (25) feet from the far side of the alley, provided that the structure, including roof overhang, shall not extend into the alley right-of-way.

C. Above or below ground swimming pools shall be set back five (5) feet from all lot lines.

D. Decks, balconies, and other types of platforms with a floor height over two (2) feet high shall be set back five (5) feet from the rear and interior side lot lines and ten (10) feet from the street side lot line.

E. Garages and carports opening on the street side lot line of a corner lot shall be set back twenty (20) feet from the street side lot line.

17.30.140 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter 17.54.

C. Required parking spaces may not be provided in within any front or side building setback area. There rear of the lot may be used for parking for non-residential uses where there is access from an alley.

D. 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 except 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.

E. All recreational vehicles or trailers parked in a location visible from the street are to be clean and maintained so as not to detract from the neighborhood. Also, see Chapter 10.76 of the Hanford Municipal Code.

F. No recreational vehicle or trailer shall be used as a residence.

G. 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 code.

H. Repair of vehicles owned by the resident 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 the front or street side building setback areas.

I. 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

J. Except for driveways allowed in the front building setback area, all additional parking for residential uses shall be to the rear or side of the dwelling. No parking shall occur in the front or street side building setback areas.

17.30.150 Usable open space.

A. Lots with four (4) or less dwelling units shall provide for a usable open space area of a minimum three hundred (300) square feet per dwelling unit. The open space shall be a minimum fifteen (15) feet wide.

B. Lots with five (5) or more dwelling units shall provide for a usable open space area equal to five percent (5%) of the lot area. Where multiple lots that together make up a single development site, the required open space may be combined into common open space areas that are accessible to all residents of the site.

17.30.160 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred (100) percent of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

C. Required landscaping is to be installed within six (6) months after occupancy of the residence, apartment or office and continually maintained pursuant to Chapter 17.52.

D. Landscaped areas are not to be used or converted to parking areas or any other use which results in the damage or removal of the landscaping. However, the widening 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 (40) percent of the lot frontage along the street.

E. In order to provide a tree lined street in the residential zone districts, the following requirements shall be provided in the parkway:

1. Two (2) street trees, a minimum fifteen (15) gallon size, shall be planted on all lots six thousand (6,000) square feet or greater. One of the two (2) front yard trees must be planted twelve (12) feet (no greater or no less) from the face of the front lot line street curb.

2. One (1) street tree, a minimum fifteen (15) gallon size, shall be planted on all lots less than six thousand (6,000) square feet. The tree shall be planted in the parkway. If there is no parkway the tree shall be planted four (4) feet behind the sidewalk, or if there is no sidewalk then four (4) feet behind the street curb.

3. There shall be two (2) additional street trees, a minimum fifteen (15) gallon size, planted on all corner lots in the parkway adjacent to the street side lot line.

F. Front yard landscaping. If front yard landscaping is provided by the builder, a prototype landscape plan is required when a building permit is requested to show that the trees will be planted as stated above. The front yard landscaping is to be installed within thirty (30) days from final building inspection approval. If front yard landscaping is not provided by the builder a fee of fifty dollars ($50.00) for each required tree shall be collected when a building permit is requested. When

Commented [TM130]: Update figure?

the house is occupied, the builder, within thirty (30) days, is required to plant one fifteen (15) gallon tree at the twelve (12) foot setback line from the street curb. If the homeowner plants the remaining three (3) trees as described above within one year of occupancy, the homeowner will be reimbursed the fifty dollars ($50.00) per tree up to three (3) trees. The builder will be reimbursed the fifty dollars ($50.00) for the required tree at the twelve (12) foot line.

G. On corner lots where the house and garage both front toward the front of the lot the area between the fence and back of sidewalk along the street side lot line shall be landscaped with two (2) of the four (4) required street trees and with live ornamental bushes and shrubs with an automatic irrigation system at the time of house construction.

17.30.170 Screening, fences, and walls.

Fences and walls shall be provided on the site for each use in accordance with **Section 17.50.110. and** 17.50.120.

17.30.180 Signs.

Signs placed in the OR zones shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.30.190 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.32
OFFICE ZONE

Sections:

17.32.010 Application.
17.32.020 Permitted uses.
17.32.030 Site area.
17.32.040 Lot dimensions.
17.32.050 Coverage.
17.32.060 Building setback areas.
17.32.070 Distance between structures.
17.32.080 Height of structures.
17.32.090 Driveways.
17.32.100 Off-street parking.
17.32.110 Usable open space.
17.32.120 Landscaping.
17.32.130 Screening, fences, and walls.
17.32.140 Signs.
17.32.150 General provisions and standards.

17.32.010 Application.

This chapter shall apply to all land within the Office (O) zone.

17.32.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.32.030 Site area.

The minimum site area shall be twenty thousand (20,000) square feet, unless a smaller site is approved with a conditional use permit in accordance with Chapter 17.80.

17.32.040 Lot dimensions.

The minimum lot frontage shall be sixty (60) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.32.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.32.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be a minimum of fifteen (15) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.32.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.32.080 Height of structures.

A. The maximum structure height shall be fifty (50) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.32.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Sites with alleys should utilize alley access to minimize driveways on streets to the greatest extent possible.

17.32.100 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Parking areas shall not be closer than five (5) feet to any front or street side lot line. The area between the lot line and parking area shall be landscaped.

C. New parking areas should be located behind or to the side of buildings, not between buildings and the street.

17.32.110 Usable open space.

There is no minimum requirement for usable open space.

Commented [Gd131]: Suggested deletion: parking can't have a five-foot setback when 17.54.090(B) states that parking can't be located in the front or street side setbacks, which are both 15 feet. The 15 ft. would take precedence over the 5 ft., since it's the more restrictive standard, per 17.02.100(A). Also applies to 17.20.100(B) where the front and street side setbacks are 15 ft.

Commented [TM132R131]: I agree.

17.32.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in a setback area not less than fifteen (15) feet from a lot line adjoining a street, except where the setback area is covered by structures, parking, or driveways.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.32.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110. and** 17.50.120.

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, ~~except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM133]: See comments above regarding CD Director's non-discretionary SPR authority.

17.32.140 Signs.

Signs placed in the O zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.32.150 General provisions and standards.

A. No business, service, or process that is not a part of the main use of the site shall be conducted outside a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.34
LIGHT INDUSTRIAL ZONE

Sections:

17.34.010 Application.
17.34.020 Permitted uses.
17.34.030 Site area.
17.34.040 Lot dimensions.
17.34.050 Coverage.
17.34.060 Building setback areas.
17.34.070 Distance between structures.
17.34.080 Height of structures.
17.34.090 Driveways.
17.34.100 Off-street parking.
17.34.110 Usable open space.
17.34.120 Landscaping.
17.34.130 Screening, fences, and walls.
17.34.140 Signs.
17.34.150 General provisions and standards.

17.34.010 Application.

This chapter shall apply to all land within the Light Industrial (I-L) zone.

17.34.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.34.030 Site area.

A. The minimum site area for lots south of Houston Avenue shall be twenty thousand (20,000 square feet, unless a conditional use permit for smaller lots is approved, in accordance with Chapter 17.80.

B. The minimum site area for lots north of Houston Avenue shall be six thousand (6,000) square feet.

17.34.040 Lot dimensions.

The minimum lot frontage shall be sixty (60) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.34.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.34.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be a minimum of ten (10) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.34.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.34.080 Height of structures.

A. The maximum structure height shall be seventy-five (75) feet, except that the height of portions of structures set back at least two hundred (200) feet from any lot line may be up to one hundred (100) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.34.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Gated entrances shall be set back at least one hundred (100) feet from the public right-of-way, unless a shorter distance is approved by the City Engineer.

17.34.100 Off-street parking.

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.34.110 Usable open space.

There is no minimum requirement for usable open space.

17.34.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area~~**. not less than ten (10) feet**~~ from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.34.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height~~, except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM134]: See comments above regarding SPR non-discretionary authority.

17.34.140 Signs.

Signs placed in the I-L zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.34.150 General provisions and standards.

A. No business, service, or process that is not a part of the main use of the site shall be conducted outside a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

~~C. Uses in the Kings Industrial Park are subject to the Performance and Development Standards adopted by the Hanford Redevelopment Agency for the Kings Industrial Park and are a part of the zoning code by reference.~~

Commented [TM135]: The Performance and Development Standards were previously adopted by Council Resolution. The Council must adopt a new Resolution if the City intends to eliminate the Standards.

D. All open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.

E. No use shall be permitted and no process, equipment or material shall be employed which is found by the planning department to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion, hazardous or toxic waste, or radioactivity or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.

F. No solid or liquid waste shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with the applicable regulations of the Central Valley Regional Water Quality Control Board and city ordinances and policies.

G. No use shall be permitted, and no process or equipment shall be employed, which relies on or utilizes only the combustion of coal, coke, or agricultural biomass for the production of heat, steam, electricity or other forms of energy. This section also applies to the Kings Industrial Park.

Commented [TM136]: What document establishes the boundaries of the Industrial Park?

H. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.36
HEAVY INDUSTRIAL ZONE

Sections:

17.36.010 Application.
17.36.020 Permitted uses.
17.36.030 Site area.
17.36.040 Lot dimensions.
17.36.050 Coverage.
17.36.060 Building setback areas.
17.36.070 Distance between structures.
17.36.080 Height of structures.
17.36.090 Driveways.
17.36.100 Off-street parking.
17.36.110 Usable open space.
17.36.120 Landscaping.
17.36.130 Screening, fences, and walls.
17.36.140 Signs.
17.36.150 General provisions and standards.

17.36.010 Application.

This chapter shall apply to all land within the Heavy Industrial (I-H) zone.

17.36.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.36.030 Site area.

The minimum site area shall be twenty thousand (20,000) square feet.

17.36.040 Lot dimensions.

The minimum lot frontage shall be sixty (60) feet, unless a reciprocal use agreement for shared common access and parking areas **is recorded** with the Kings County recorder's office.

17.36.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements.

17.36.60 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be a minimum of ten (10) feet.

C. The rear building setback may be zero (0) feet from the rear lot line, except where the rear lot line abuts a public street **or** an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be fifteen (15) feet.

D. The side building setback area shall be zero (0) feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be fifteen (15) feet.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.36.070 Distances between structures.

The minimum distance between a structure used solely for residential purposes and another structure shall be ten (10) feet, except as provided by the building code.

17.36.080 Height of structures.

A. The maximum structure height shall be seventy-five (75) feet, except that the height of portions of structures set back at least two hundred (200) feet from any lot line may be up to one hundred (100) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.36.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Gated entrances shall be set back at least one hundred (100) feet from the public right-of-way, unless a shorter distance is approved by the City Engineer.

17.36.100 Off-street parking.

Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

17.36.110 Usable open space.

There is no minimum requirement for usable open space.

17.36.120 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Landscaping shall be provided and permanently maintained in **the required** setback area ~~not less than ten (10) feet~~ from a lot line adjoining a street.

C. Required landscaping is to be installed prior to occupancy and continually maintained pursuant to Chapter 17.52.

17.36.130 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height~~, except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM137]: See comments above regarding SPR non-discretionary authority.

17.36.140 Signs.

Signs placed in the I-H zone shall be subject to the requirements and standards prescribed in Chapter 17.56.

17.36.150 General provisions and standards.

A. No business, service, or process that is not a part of the main use of the site shall be conducted outside a completely enclosed permanently fixed structure, except where specifically permitted by this title.

B. Mechanical equipment shall be located a minimum of five (5) feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

~~C. Uses in the Kings Industrial Park are subject to the Performance and Development Standards adopted by the Hanford Redevelopment Agency for the Kings Industrial Park and are a part of the zoning code by reference.~~

D. All open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.

E. No use shall be permitted and no process, equipment or material shall be employed which is found by the planning department to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion, hazardous or toxic waste, or radioactivity or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.

F. No solid or liquid waste shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with the applicable regulations of the Central Valley Regional Water Quality Control Board and city ordinances and policies.

G. No use shall be permitted, and no process or equipment shall be employed, which relies on or utilizes only the combustion of coal, coke, or agricultural biomass for the production of heat, steam, electricity or other forms of energy. This section also applies to the Kings Industrial Park.

H. Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.38
PUBLIC FACILITIES ZONE

Sections:

17.38.010 Application.
17.38.020 Permitted uses.
17.38.030 Site area.
17.38.040 Lot dimensions.
17.38.050 Coverage.
17.38.060 Building setback areas.
17.38.070 Distance between structures.
17.38.080 Height of structures.
17.38.090 Driveways.
17.38.100 Accessory structures.
17.38.110 Off-street parking.
17.38.120 Usable open space.
17.38.130 Landscaping.
17.38.140 Screening, fences, and walls.
17.38.150 Signs.
17.38.160 General provisions and standards.

17.38.010 Application.

This chapter shall apply to all land within the Public Facilities (PF) zone.

17.38.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.38.030 Site area.

There is no minimum lot area.

17.38.040 Lot dimensions.

The minimum lot frontage shall be forty (40) feet.

17.38.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.38.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be twenty (20) feet from the front lot line.

C. The rear building setback shall be fifteen (15) feet from the rear lot line, except where there is a landscape easement with a wall or fence on the rear of the lot then the rear building setback shall be twenty (20) feet.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

F. Where there is a landscape easement with a wall or fence on the street side of the lot the side yard setback area shall be measured from the easement area instead of the side lot line.

G. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.38.070 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.38.080 Height of structures.

A. The maximum structure height shall be fifty (50) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.38.090 Driveways.

A. Wherever possible developments shall share driveways to minimize the number of driveways on public streets.

B. New driveways near street corners shall be located a minimum one hundred (100) feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

C. Gated entrances shall be set back at least fifty (50) feet from the public right-of-way, unless a shorter distance is approved by the City Engineer.

17.38.100 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.38.110 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Required parking spaces may not be provided in within any front, side, or rear building setback area.

17.38.120 Usable open space.

There is no required usable open space.

17.38.130 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas, all yard areas and setback areas visible from a public street shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred percent (100%) of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

17.38.140 Screening, fences, and walls.

A. Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110 and** 17.50.120.

B. A block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, AP, or CO zone district.

C. No fence or wall shall be placed in front of or within any landscaped area located next to a street.

D. The open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height~~, except as may be modified under site plan review~~. Such storage shall not be visible above the fence or wall.

Commented [TM138]: See comments above regarding SPR non-discretionary authority.

17.38.150 Signs.

Signs placed in the PF zones shall be subject to the requirements and standards prescribed in Chapter 17.56, except that signs placed by a local, State, or Federal public agency on their own public property shall be exempt from Chapter 17.56

17.38.160 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.40
AIRPORT PROTECTION ZONE

Sections:

17.40.010 Application.
17.40.020 Permitted uses.
17.40.030 Lot area.
17.40.040 Lot dimensions.
17.40.050 Dwelling units per lot.
17.40.060 Coverage.
17.40.070 Building setback areas.
17.40.080 Distance between structures.
17.40.090 Height of structures.
17.40.100 Driveways.
17.40.110 Accessory structures.
17.40.120 Other setback standards.
17.40.130 Off-street parking.
17.40.140 Usable open space.
17.40.150 Landscaping.
17.40.160 Screening, fences, and walls.
17.40.170 Signs.
17.40.180 General provisions and standards.

17.40.010 Application.

This chapter shall apply to all land within the Airport Protection (AP) zone.

17.40.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.40.030 Lot area.

There is no minimum lot area.

17.40.040 Lot dimensions.

A. The minimum lot frontage shall be forty (40) feet.

B. The minimum lot width shall be eighty (80) feet for interior lots and ninety (90) feet for corner lots.

C. The minimum lot depth shall be one hundred (100) feet.

17.40.050 Dwelling units per lot.

Not more than one dwelling unit shall be allowed on each lot, unless approved as an accessory use to an allowed or conditional use in accordance with Chapter 17.80, or approved as a second dwelling unit in accordance with Section 17.60.030.

17.40.060 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.40.070 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be twenty (20) feet from the front lot line.

C. The rear building setback shall be twenty-five (25) feet from the rear lot line.

D. The rear building setback area shall be increased by ten (10) feet for buildings over one story high.

E. The side building setback area shall be five (5) feet from an interior side lot line and ten (10) feet from a street side property line.

F. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.40.080 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.40.090 Height of structures.

A. The maximum structure height shall be thirty-five (35) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.40.100 Driveways.

A. The width of a driveway and any paved area shall not cumulatively exceed forty percent (40%) of the width of the lot's street frontage on which the driveway and any paved area faces. In the case of "L" or "U" shaped driveways or other configurations besides perpendicular driveways the paved area of these driveways shall not exceed fifty percent (50%) of the front building setback area.

~~B. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot line.~~

Commented [Gd139]: Suggested deletion - this requirement doesn't always make sense

17.40.110 Accessory structures.

Accessory structures may be located within a required rear or side building setback area subject to all of the following:

A. The floor area shall be a maximum one hundred twenty (120) square feet.

B. The walls shall be at least three (3) feet from rear and side lot lines.

C. The roof eaves shall be at least two (2) feet from rear and side lot lines.

D. The accessory structure shall be separated from other structures by a minimum of ten (10) feet.

E. The plate line height shall be a maximum seven (7) feet high.

F. The roof pitch shall be a maximum 4:12.

G. The roof ridge peak height shall be a maximum of ten (10) feet.

17.40.120 Other setback standards.

A. Mechanical equipment shall be located a minimum of five (5) feet from a side lot line that adjoins a neighboring side lot line.

B. Garages or carports opening onto an alley shall be set back twenty-five (25) feet from the far side of the alley, provided that the structure, including roof overhang, shall not extend into the alley right-of-way.

C. Above or below ground swimming pools shall be set back five (5) feet from all lot lines.

D. Decks, balconies, and other types of platforms with a floor height over two (2) feet high shall be set back five (5) feet from the rear and interior side lot lines and ten (10) feet from the street side lot line.

E. Garages and carports opening on the street side lot line of a corner lot shall be set back twenty (20) feet from the street side lot line.

17.40.130 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter 17.54.

C. Required parking spaces may not be provided in within any front, side, or rear building setback area.

D. 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 except 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.

E. All recreational vehicles or trailers parked in a location visible from the street are to be clean and maintained so as not to detract from the neighborhood.

F. No recreational vehicle or trailer shall be used as a residence.

G. 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 code.

H. Repair of vehicles owned by the resident 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 the front or street side building setback areas.

I. 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

J. Except for driveways allowed in the front building setback area, all additional parking for residential uses shall be to the rear or side of the dwelling. No parking shall occur in the front or street side building setback areas.

17.40.140 Usable open space.

There is no required usable open space.

17.40.150 Landscaping.

A. Landscaping shall be provided for each use as prescribed in Section 17.52 Landscape Standards.

B. Except for driveways and approved parking areas, all yard areas and setback areas visible from a public street shall be landscaped with live plant materials and ornamentation common to the Hanford area or up to one hundred percent (100%) of the yard and setback area may be landscaped with artificial turf and other permeable surfaces.

17.40.160 Screening, fences, and walls.

Fences and walls shall be provided on the site for each use in accordance with Section **17.50.110.**

17.40.170 Signs.

Signs placed in the AP zones shall be subject to the requirements and standards prescribed in Chapter 17.56, except that signs placed a local, State, or Federal public agency on their own public property shall be exempt from Chapter 17.56.

17.40.180 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.42
CONSERVATION ZONE

Sections:

17.42.010 Application.
17.42.020 Permitted uses.
17.42.030 Lot area.
17.42.040 Lot dimensions.
17.42.050 Coverage.
17.42.060 Building setback areas.
17.42.070 Distance between structures.
17.42.080 Height of structures.
17.42.090 Driveways.
17.42.100 Other setback standards.
17.42.110 Off-street parking.
17.42.120 Usable open space.
17.42.130 Landscaping.
17.42.140 Screening, fences, and walls.
17.42.150 Signs.
17.42.160 General provisions and standards.

17.42.010 Application.

This chapter shall apply to all land within the Conservation (CO) zone.

17.42.020 Permitted uses.

Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in the land use table in Section 17.08.030.

17.42.030 Lot area.

There is no minimum lot area.

17.42.040 Lot dimensions.

There are no minimum lot dimensions.

17.42.050 Coverage.

The maximum coverage of a lot shall be determined by the combined building setback area requirements, accessory structure limitations, open space requirements, and off-street parking requirements.

17.42.060 Building setback areas.

A. Setbacks shall be measured as prescribed in Section 17.50.160.

A. No structure shall be placed within a building setback area.

B. The front building setback area shall be twenty-five (25) feet from the front lot line.

C. The rear building setback shall be twenty-five (25) feet from the rear lot line.

D. The side building setback area shall be twenty-five (25) feet from a street side property line.

E. Exceptions shall be allowed as prescribed in Section 17.50.170.

17.42.070 Distances between structures.

The minimum distance between structures shall be ten (10) feet, except as provided by the building code.

17.42.080 Height of structures.

A. The maximum structure height shall be twenty (20) feet.

B. Height shall be measured as prescribed in Section 17.50.180.

C. Exceptions shall be allowed as prescribed in Section 17.50.190.

17.42.090 Driveways.

Driveways should be minimized to protect the maximum amount of open space. Driveways shall be the minimum width and length necessary to support the use, as determined by the Community Development Director.

17.42.100 Other setback standards.

Mechanical equipment shall be located a minimum of twenty-five (25) feet from any lot line.

17.42.110 Off-street parking.

A. Off-street parking and off-street loading facilities shall be provided on the site for each use as prescribed in Chapter 17.54.

B. Single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter 17.54.

C. No parking spaces **shall** be provided within any front, side, or rear building setback area.

17.42.120 Usable open space.

There is no required usable open space.

17.42.130 Landscaping.

Areas around buildings and parking areas that are disturbed shall be landscaped with natural landscape plants and materials that blend in with the natural environment on the site.

17.42.140 Screening, fences, and walls.

Fences and walls shall be provided on the site for each use in accordance with Section 17.50.**110.**

17.42.150 Signs.

Signs placed in the CO zones shall be subject to the requirements and standards prescribed in Chapter 17.56, except that signs placed by a local, State, or Federal public agency on their own public property shall be exempt from Chapter 17.56.

17.42.160 General provisions and standards.

Structures and the use of structures or land shall be subject to the requirements and standards prescribed in Chapter 17.50.

Chapter 17.44
AIRPORT OVERLAY ZONE

Sections:

17.44.010 Application.
17.44.020 Permitted uses.
17.44.030 Definitions.
17.44.040 Airport height zones.
17.44.050 Airport height limitations.
17.44.060 Markings and lights.
17.44.070 Nonconforming structures and trees.

17.44.010 Application.

A. This chapter shall apply to all land within the Airport Overlay zone, as defined on the Zoning Map.

B. 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 chapter shall apply.

17.44.020 Permitted uses.

A. Uses shall be permitted or not permitted, conditionally 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.

B. No use may create electrical interference with navigational signals for radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

C. Uses shall be further restricted by this chapter and the policies and requirements of the Kings County Airport Land Use Compatibility Plan, and applicable requirements of the Federal Aviation Administration (FAA.).

17.44.030 Definitions.

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

A. “Airport” means the Hanford Municipal Airport.

B. "Airport elevation" means the highest point of the airport's usable landing area measured in feet from the sea level (two hundred forty-five (245) feet).

C. "Approach surface" means the surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface at a slope of twenty (20) to one. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

Commented [TM140]: In plan?

D. "Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) to one for a horizontal distance of four thousand (4,000) feet.

E. "Hazard to air navigation" means a height obstruction deter~~,~~ mined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

F. "Height" means, for the purpose of determining the height limits in all zones set forth in this chapter and shown on the airport zoning map, the datum mean sea level elevation, unless otherwise specified.

G. "Horizontal surface" means a horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

H. "Kings County Airport Land Use Compatibility Plan" means the document so named and dated February 1994, as adopted and amended by the City.

I. "Nonconforming use" means any preexisting structure, object of natural growth or use of land which is inconsistent with the provisions of this chapter or an amendment thereto.

J. "Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned.

K. "Obstruction" means any structure, growth or other object, including a mobile object, that exceeds a height limit set forth in Section 17.44.050.

L. "Primary surface" means a surface longitudinally centered on a runway. The primary surface extends two hundred (200) feet beyond each end of that runway. The width of the primary surface is five hundred (500) feet. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

M. "Runway" means a defined area on the airport prepared for the landing and takeoff of aircraft along its length.

N. "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

O. "Transitional surface" means a surface which extends outward at a ninety (90) degree angle to the runway center line and the runway center line extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

P. "Tree" means any object of natural growth.

Q. "Utility runway" means a runway that is constructed for, and intended to be used by, propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight and less.

R. "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures.

17.44.040 Airport height zones.

A. There are hereby created and established airport zones that include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they relate to the airport. Such zones are shown on the Hanford Airport "Airspace Plan" of the Kings County Airport Land Use Compatibility Plan, which is on file in the Community Development Department of the City.

B. All structure heights within the Airport Overlay zone are subject to the policies and requirements of the Kings County Airport Land Use Compatibility Plan. A use located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation.

C. The airport height zones are defined as follows:

1. Utility Runway Visual Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of one thousand two hundred fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its center line is the continuation of the center line of the runway.

2. Utility Runway, Nonprecision Instrument Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of two thousand (2,000) feet at a horizontal distance five thousand (5,000) feet from the primary surface.

3. Transitional Zones. The transitional zones are the areas beneath the transitional surfaces.

4. Horizontal Zone. The horizontal zone is established by swinging arcs of five thousand (5,000) feet radii for runways designated as utility or visual from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

5. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of four thousand (4,000) feet.

17.44.050 Airport height limitations.

A. No structure shall be erected, altered, maintained or no object of natural growth shall be allowed to penetrate into any airport height zone created by this chapter.

B. No nonconforming use, structure or object of natural growth shall be modified or permitted to grow such that the nonconformity is expanded or increased beyond that existing on the date of the adoption of this chapter.

17.44.060 Markings and lights.

Markings and lights, as determined necessary by the City Engineer and the Building Official to achieve the purposes of this chapter and the Kings County Airport Land Use Compatibility Plan, shall be installed, operated and maintained at the property owner's expense such.

17.44.070 Nonconforming structures and trees.

A. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree below their existing height on the date of the adoption of this chapter, or otherwise interfere with the continuance of any use of said structure.

B. Notwithstanding the provisions of subsection A of this section, the owner of any existing structure or tree not conforming to the provisions of this chapter shall permit the installation, operation and maintenance thereon of such markers and lights, as shall be deemed necessary by the City Engineer and Building Official to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the City.

Chapter 17.46
~~DOWNTOWN EAST OVERLAY ZONE~~ RESERVED

~~**Sections:**~~

~~**17.46.010 Application.**~~
~~**17.46.020 Permitted uses.**~~
~~**17.46.030 Lot area and dimensions.**~~
~~**17.46.040 Dwelling units per lot.**~~
~~**17.46.050 Frontage types.**~~
~~**17.46.060 Off-street parking.**~~
~~**17.46.070 Landscaping.**~~
~~**17.46.080 China alley.**~~
~~**17.46.090 Screening, fences, and walls.**~~
~~**17.46.100 Signs.**~~

~~**17.46.010 Application.**~~

~~A. This chapter shall apply to all land within the Downtown East Overlay zone, as defined on the Zoning Map.~~

~~B. The requirements of this chapter shall be considered in conjunction with the requirements of any base zone district and the Hanford Downtown East Precise Plan. If a conflict exists between the requirements of the base zone district and the Hanford Downtown East Precise Plan, this chapter shall determine which requirements apply.~~

~~C. Where the Hanford Downtown East Precise Plan is silent as to a standard or requirement, this title shall apply.~~

~~**17.46.020 Permitted uses.**~~

~~A. Uses shall be permitted or not permitted, conditionally permitted, administratively permitted, or temporarily permitted as prescribed in Chapter 4 of the Hanford Downtown East Precise Plan and the land use tables in Section 17.08.020 and Section 17.08.030 based on the base zone district in which the use is located.~~

~~B. Where Chapter 4 of the Hanford Downtown East Precise Plan and the land use tables in Section 17.08.020 and Section 17.08.030 are in conflict, the Hanford Downtown East Precise Plan shall apply.~~

~~C. Where a use is not listed in the Hanford Downtown East Precise Plan but is listed in the land use tables in Section 17.08.020 and Section 17.08.030, the land use tables shall apply.~~

~~D. Uses that are permitted in Chapter 4 of the Hanford Downtown East Precise Plan do not require a conditional use permit and shall meet the special conditions that apply to that use, as listed in said Chapter.~~

~~E. Where conflicts exist, an applicant may also appeal to the Community Development Director to determine which shall use shall be permitted based on existing conditions and surrounding uses.~~

~~17.46.030 Lot area and dimensions.~~

~~The minimum lot area and dimensions shall be consistent with the standards in the base zone district.~~

~~17.46.040 Dwelling units per lot.~~

~~The maximum dwelling units per lot shall be determined by Chapter 4 of the Hanford Downtown East Precise Plan.~~

~~17.46.050 Frontage types.~~

~~New buildings shall be constructed consistent with the frontage type standards in Chapter 4 of the Hanford Downtown East Precise Plan.~~

~~Where there is conflict between the frontage type standards and the building setbacks in the base zone district, the frontage type standards shall apply.~~

~~The Community Development Director may waive the building setback requirements for frontage types in Chapter 4 of the Hanford Downtown East Precise Plan. This shall not be construed to allow building encroachment into the public right-of-way beyond what is specifically permitted, nor to allow a building setback that is less than the minimum building setback of the base zone district.~~

~~17.46.060 Off-street parking.~~

~~A. New buildings shall meet the off-street parking standards in Chapter 4 of the Hanford Downtown East Precise Plan and Chapter 17.54 of this title.~~

~~B. If a conflict exists between the off-street parking standard requirements of Chapter 17.54 of this title and Chapter 4 of the Hanford Downtown East Precise Plan, the Hanford Downtown East Precise Plan shall apply.~~

~~17.46.070 Landscaping.~~

~~A. New buildings shall meet the landscaping standards in Chapter 4 of the Hanford Downtown East Precise Plan and Chapter 17.52 of this title.~~

~~B. If a conflict exists between the landscaping standards of Chapter 17.52 and Chapter 4 of the Hanford Downtown East Precise Plan, the Hanford Downtown East Precise Plan shall apply.~~

~~17.46.080 China alley.~~

~~New and remodeled buildings identified as being within China Alley per the Hanford Downtown East Precise Plan should consider and integrate the design guidelines in Chapter 5 of the Hanford Downtown East Precise Plan into their design. The design guidelines are not intended as strictly enforced rules, but as a tool to guide the design process.~~

~~17.46.090 Screening, fences, and walls.~~

~~A. Fences and walls shall be provided on the site for each use in accordance with the base zone district.~~

~~17.46.100 Signs.~~

~~Signs shall be subject to the requirements and standards prescribed in the base zone district.~~

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

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 chapter 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.

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

Commented [TM141]: Thought should be given to expanding this chapter so that it covers interior alterations. Fresno experienced a problem when a landowner gutted a historic theater. Would the City want some level of control if the current or a future owner of the Fox Theater wants to remove all of the building's interior features?

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:

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.

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 **17.70.040** 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 **17.80** (permit for conditional uses) and Chapter **17.82** (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 ~~e~~Community ~~d~~Development ~~d~~Department shall give a ten-day written notice to the appellant of the time and meeting place of the hearing of the appeal.

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 ~~e~~Community ~~d~~Development ~~d~~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 ~~d~~Department that the proposed improvements are in conformity with an approved historic resource permit. Before a building, improvement or structure may be occupied, the ~~c~~Community ~~d~~Development ~~d~~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.

Commented [TM142]: Building Official?

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.

Commented [TM143]: Building Official?

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 ~~c~~Community ~~d~~Development ~~d~~Department. The ~~c~~Community ~~d~~Development ~~d~~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~~but not

obtained, 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 ~~c~~Community ~~d~~Development ~~d~~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.

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 sites 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.

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 do not 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.

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.

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 fifty (50) 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.

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.

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 ~~c~~Community ~~d~~Development ~~d~~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 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 Code of Regulations, 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 ~~c~~Community ~~d~~Development ~~d~~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;

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.

6. Deny the demolition request.

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

17.50.010 Purpose and applicability.
17.50.020 Applicability.
17.50.025 Nuisance.
17.50.030 Waste materials.
17.50.040 Air pollution.
17.50.050 Odorous gases and matter.
17.50.060 Discharge of materials.
17.50.070 Ground vibration.
17.50.080 Combustibles and explosives.
17.50.090 Trash collection areas.
17.50.100 Rooftop equipment.
17.50.110 Fences and walls.
17.50.120 Fence and wall locations in residential, office, and public facilities zones.
17.50.125 Temporary fences.
17.50.130 Tents, tarps, and other coverings.
17.50.140 Outdoor lighting standards.
17.50.150 Through lots.
17.50.160 Measurement of building setback areas.
17.50.170 Exceptions in building setback area limitations.
17.50.180 Measurement of height.
17.50.190 Exceptions to height limitations.
17.50.200 Property maintenance.
17.50.210 Housing density bonus and other incentives.

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.

17.50.025 Nuisance.

~~No use shall create a n~~Nuisance conditions caused by ~~due to~~ noise, odor, dust, mud, smoke, steam, vibration, light or other similar causes are prohibited.

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~~ exceeding regulatory limits 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.

Commented [TM144]: I added this phrase because, arguably, any amount of smoke can cause damage to human health.

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.

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.

Commented [TM145]: This exception is ambiguous. Who determines when a fence or wall is needed for public safety?

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;

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.

17.50.125 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 Director 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.

Recommendation to add:

Tarps for roof and building repairs shall be prohibited, except for emergency repairs. Additionally, the use of tarps for temporary canopies, enclosures, and/or awnings is prohibited in any front yard area visible from any public right of way.

Commented [TM146]: Tarps in side yards are okay?

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.

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.

Commented [TM147]: Suggest that definitions be added for "lamp" and luminaire."

Commented [TM148]: Are "lamp" and "light fixture" the same?

Commented [TM149]: How is horizontal plane measure? From the bottom of a light fixture?

Commented [TM150]: Under what conditions does a nuisance exist?

Commented [TM151]: Does this mean that it is illegal to use roof mounted Christmas lights for more than 30 continuous days each year?

Commented [TM152]: What conditions constitute a nuisance?

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.

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 **C-R** 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.

Commented [TM153]: How is "minimize" determined? For example, would a wall pack light ever be legal?

Commented [TM154]: What standards are applied to determine whether a hazard exists?

Commented [TM155]: 50 feet is okay if a C-R zone district is adjacent to a residential district?

Commented [TM156]: What about LED lamps?

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:

1. All outdoor fixture lighting shall be a fully shielded fixture and focused to minimize light trespass and glare.

Commented [TM157]: Why not also require outdoor fixtures in residential districts to also be fully shielded?

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.

Commented [TM158]: This restriction seems really stringent. Does the City have wall mounted lights on the east side of the City offices? If yes, are the lights turned off at night or are they activated by motion sensor?

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 requirements 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 (6) feet; provided, that where an architectural feature

extends more than twenty-four (24) inches into a required side building setback area, 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, except awnings in the MX-D Downtown Mixed Use Zone District, or except awnings in the Historic District, with approval of a Historic Resources Permit.

Commented [GM159]: Awning exception required here

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 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.

K. Conditions that create a fire hazard, endanger human life, or are hazards to public health, safety or general welfare of the citizens of the city, including without limitation, real property, structures or other improvements that are in disrepair or are not properly maintained as determined by the Code Enforcement Officer.

L. ~~Recommendation to add:~~

~~It is unlawful for any owner of real property located in the city, and for any tenant, occupant, or user of real property therein, to maintain, permit, or allow~~Failure to address graffiti ~~to exist thereon,~~ for longer than forty-eight (48) hours from the time that graffiti is placed on a surface.

M. ~~Vehicles Or Equipment:~~ Construction equipment, buses, limousines, tow trucks, flatbed trucks, grading equipment, tractors, tractor trailers, trailers, and any ~~other~~ commercial vehicle over twenty-two feet (22') long or eight feet (8') in height or ninety inches (90") wide, supplies, materials, or machinery of any type or description, parked or stored upon any street or property within a residential zone. ~~"~~"Commercial vehicle~~"~~," for the purposes of this section, shall be defined as any motorized or nonmotorized vehicle used or maintained to transport property or goods for profit, or persons for hire or compensation.

N. Portable basketball hoops ~~Basketball Hoops: It shall be unlawful to~~ placed, stored, or left~~ave~~ unattended ~~any portable basketball hoop~~ on a public sidewalk, public street, or any portion of the City right-of-way.

O.

~~Numbering Required (Addresses):~~ Failure to satisfy the following requirement for address numbers: Approved numbers or address~~es~~ signage shall be placed and maintained on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background and shall not be less than 4" in height. House numbers shall not be obstructed in any fashion.

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, as amended, 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, as amended. Should provisions of this chapter conflict with state law, the latter shall control.

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:

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 ma~~n~~y 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 requested, 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.

Commented [TM160]: Downtown area?

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, in addition to any provisions required by statute, include at least the following:

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~~ forty-five (~~10~~45) or ~~thirty~~fifty-five (~~30~~55) 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 u~~Rented 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~~target-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~~Subject to the terms of an equity-sharing agreement, owner-occupied units shall be sold and resold only to eligible target-income households.

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. If the provisions of this chapter conflict with the then-current Model Water Efficient Landscape Ordinance, the more stringent provisions shall apply.

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~~ Through the Site Plan Review ~~Committee~~ process, the city 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.

B. A landscape concept plan shall meet the intent of this ~~section~~ chapter 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.~~

Commented [TM161]: Deleted because the sentence creates discretionary authority. If "other requirements" may be imposed, the requirements should be identified in the ordinance so they are non-discretionary.

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~~.

Commented [TM162]: Deleted to eliminate discretionary authority. The sentence should be revised to identify the specific conditions under which landscaping will not be required.

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.~~

Commented [TM163]: Another example of discretionary authority.

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.

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 established after the adoption of this section 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.

Commented [TM164]: This sentence is vague and ambiguous. Does it mean that the owner of a small residential lot may not plant a tall tree species as the tree may eventually shade a neighbor's yard?

Commented [TM165]: Does this requirement apply to trees identified on the City's approved street tree list?

Commented [TM166]: Are these requirements limited to new subdivisions, or do the also apply to single-property re-landscaping projects?

Commented [TM167]: How is "emphasized" defined?

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 **[Reserved.]**
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.**
17.54.230 **Garage conversions.**

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.

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

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 150 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

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 8th grade)	1 space per employee
School, public, private, or charter (9th to 12th 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)

Commented [TM168]: This provision should be revised to eliminate discretionary authority. It would be ideal if a formula is identified.

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
Mobile home 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~~

Commented [TM169]: See comment above about identifying a formula to eliminate the exercise of discretionary authority.

Commented [TM170]: See comment above about identifying a formula to eliminate the exercise of discretionary authority.

Commented [TM171]: See comment above about identifying a formula to eliminate the exercise of discretionary authority.

Commented [TM172]: See comment above about identifying a formula to eliminate the exercise of discretionary authority.

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.

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.

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.

Commented [TM173]: Suggest that a formula be identified in place of giving the CD Director discretionary authority to determined number of required parking spaces based upon size, shape, and relationship to the sites to be served.

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 Improvement District~~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.

Commented [TM174]: Only 50% because the City utilizes the funds to create public parking? If yes, is there an issue with the number of new parking spaces created? For example, if a use requires ten parking spaces but only pays for five spaces, how is the five-parking-space deficiency addressed?

B. ~~The construction of such o~~Off-street parking spaces and facilities can be constructed ~~considering the~~to the extent permitted by physical limitations of the property available for such purpose~~ and~~, with 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.

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~~ through Site Plan Review ~~Committee~~.

Commented [TM175]: Objective parameters should be specified so that discretionary authority is not exercised.

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~~ a~~n~~ ~~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.

F. Tandem parking may be provided for residential land uses with the following restrictions:

1. Tandem parking shall not be more than two (2) cars in depth

2. Both tandem spaces shall serve the same dwelling unit.

3. For multi-family residential dwellings, tandem parking may be provided to meet up to fifty (50) percent of the required parking spaces.

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 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.~~

Commented [TM176]: Objective parameters should be identified for waiver so the determination is not discretionary.

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~~ through 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.

17.54.160 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 type of screening may be reduced through Site Plan Review 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.

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.

Commented [TM177]: Deleted because the storage of covered cars should be legal or illegal in all neighborhoods on a consistent basis. Legality should be depend on whether a malcontent resides in a neighborhood.

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, except where a garage or carport is converted for living space in accordance with Section 17.54.230.

17.54.230 Garage conversions.

A. It is the purpose of this section to allow, in certain cases and subject to specific design requirements, the conversion of garages and carports for living space in circumstances where the provisions of Section 17.54.040 cannot be met post-conversion. Such conversion is deemed acceptable if the following requirements are met:

1. The site is ~~being used~~zoned as a single-family or mixed use~~, detached, residence with a minimum lot size of five thousand (5,000) square feet~~;

2. ~~The area converted shall be used as part of the main dwelling and shall not be used as a separate dwelling unit or accessory dwelling unit~~;

~~3.~~ The area converted shall be subject to all applicable building code requirements;

4~~3~~. ~~The site shall be owner occupied and that such ownership shall have been in effect for a minimum of twelve (12) months prior to approval of a conversion under this section~~;

~~5~~4. The garage door shall either be removed from the structure, or a wall shall be constructed behind the pre-existing garage door with the garage door remaining in place. The exterior elevation of the conversion shall be compatible in design with the existing dwelling;

~~6~~5. If the garage door is removed, some type of buffering, such as removal of a portion of the parking area for a planter area, shall be provided between the carport or garage and the remaining parking area;

~~7~~6. The remaining parking area shall have two parking spaces, each space having a minimum width of nine (9) feet and a minimum depth of eighteen (18) feet from the property line.

B. ~~The Community Development Director~~Through the Site Plan Review process, the City shall approve or deny garage conversion requests based upon the requirements in this section ~~through the administrative use permit process in Chapter 17.74~~and applicable state statutes governing accessory dwelling units. Interested individuals may appeal the decision in accordance with the appeal provisions in Chapter 17.70. Review shall be limited to compliance with the specified requirements.

Commented [TM178]: Note: State ADU laws governs garage conversions.

Commented [TM179]: Deleted because ADU law does not allow the establishment of minimum lot size requirements.

Commented [TM180]: State law allows JADUs to exist without an interior connection to the primary dwelling.

Commented [TM181]: Deleted because, per Gov. Code § 65852.2(a)(8), the City may not impose an owner-occupant requirement.

Chapter 17.56
SIGNS AND OUTDOOR ADVERTISING STRUCTURES

17.56.010 Purpose.
17.56.020 Applicability and severability.
17.56.030 No discrimination against noncommercial speech.
17.56.040 Exempt signs.
17.56.050 Prohibited signs.
17.56.060 Permits required.
17.56.070 Sign design principles.
17.56.080 Rules for sign measurement.
17.56.090 Sign regulations on developed sites by zone district.
17.56.100 Sign regulations on undeveloped or developing sites.
17.56.110 Offsite temporary signs for residential subdivisions.
17.56.120 Flags and flagpoles.
17.56.130 Search lights and klieg lights.
17.56.140 Signs in public rights-of-way.
17.56.150 Temporary sign standards.
17.56.160 Size of signs on windows.
17.56.170 Signs with non-electronic changeable copy.
17.56.180 Signs with electronic changeable copy.
17.56.190 Illumination of signs.
17.56.200 Concealed electrical systems.
17.56.210 [Reserved]
17.56.220 Master sign program.
17.56.230 Wall mural placement and design criteria.
17.56.240 Variances and minor deviations.
17.56.250 Nonconforming signs.
17.56.260 Maintenance of signs.
17.56.270 Hazardous signs.
17.56.280 Abandoned or obsolete signs.
17.56.290 Illegal signs.
17.56.300 Enforcement.
17.56.310 Definitions.
17.56.320 Illustrations of signs.

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 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 erected 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 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.

13. Directional Signage without advertisement. Limited to the freestanding sign regulations.

Commented [Gd182]: For directional signs, maybe we can use the same height restrictions used for freestanding signs in that zone district. This is a historical building in the MX-D zone district (which doesn't allow freestanding signs). Most district allow up to 4 feet without a setback requirement, 5' with 5' setback, and 6' high with 10' setback. Since MX-D usually doesn't have room for setbacks, and directional signs are usually close to property lines, maybe we could go with a 4' max?

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 (5) feet of a fire hydrant, street sign, or traffic signal.

18. Can or cabinet signs.

19. Feather signs.

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.

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.

Commented [TM183]: Why not "shall"?

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.

Commented [TM184]: What is the difference between an awning and a canopy?

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~~ shall be denied.

Commented [TM185]: Changed "may" to "shall" to avoid the grant of discretionary authority.

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.

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.	1 sign per site maximum. 20 sq.ft. maximum size. 6 feet high maximum.

Number and Size of Permanent Signs by Zone		
Zone District	**Building Signs**	**Freestanding Signs**
	External illumination only.	External illumination only.
C-N, C-R, C-S, C-H, MX-N, MX-C, and O 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 350 sq.ft. along primary frontage. 50 sq.ft. allowed regardless of frontage length. Secondary building frontage: 1 sq.ft. per lineal foot up to a maximum 200 sq.ft. per secondary frontage. 35 sq.ft. allowed regardless of frontage length. 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.	1 sign per establishment maximum. 40 sq.ft. maximum sign face size. 6 feet high maximum if set back 10 feet from property line. 5 feet high maximum if set back 5 feet from property line. 4 feet high maximum if set back 0 feet from property line. Sites with an integrated shopping center: 1 additional freestanding sign up to 350 sq.ft. Maximum height not greater than 1.5 times the average height of the building.

Number and Size of Permanent Signs by Zone		
Zone District	**Building Signs**	**Freestanding Signs**
I-L, and I-H zones	No limit to number of signs per business establishment. 500 sq.ft. maximum sign surface area per sign. 1,000 sq.ft. maximum sign surface area cumulative of all signs. 1 sq.ft. per lineal foot of property line adjoining a street, or 100 sq.ft. per acre of site area in use, whichever is greater, to a maximum of 600 sq. ft. of sign face.	1 sign per frontage maximum. 40 sq.ft. maximum sign face size. 10 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.
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.
CO 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.
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

Number and Size of Temporary Signs by Zone		
Zone District	**Temporary Building Signs**	**Temporary Freestanding Signs**
		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.
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.

A. 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.

B. 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.

C. 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 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.

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 seven (7) feet above the sidewalk or 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. Temporary building signs shall be removed after a period of thirty (30) days. After removal, no temporary building sign may be placed on the site for a period of thirty (30) days.

~~C. 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.~~ ← **Recommendation: Remove feather banners and deem as prohibited signage.**

Commented [TM186]: I agree

D. Banners shall not be used as permanent signs.

E. 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.

F. 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.

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:

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.

17.56.210 [Reserved.]

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.

Commented [TM187]: Does this remain true in the age of LED lighting?

Commented [TM188]: The administrative use permit provisions have been modified to eliminate discretionary authority, which creates an issue for 17.56.220.B. because master sign program approval would be ministerial in some cases (e.g., administrative use permit) but would require a CUP if the project otherwise requires a CUP. Master sign program approval should be consistently ministerial or discretionary. In other words, if the City elects for master sign program approval to be ministerial, the second sentence of 17.56.220.B. should be deleted.

Commented [TM189]: The authority under 17.56.220.E. establishes discretionary authority. If the City intends for master sign program approval to be ministerial, objective parameters should be listed rather than stating that "reasonable conditions of approval may be imposed. . . ."

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.

17.56.230 Wall mural placement and design criteria.

The purpose of regulating murals is to ensure the continued visual aesthetic of the community, by allowing for compatible artistic and creative expression through murals in appropriate locations and designs. The review criteria seek to establish guidance as to the compatibility and appropriateness of the theme, location and design of murals, with minimal intrusion into artistic expression and/or the substantive, personal or political expressive content of the artwork.

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. For the purpose of regulation, hand painted signs on walls that contain commercial speech are considered signs and are not considered murals. Wall painting that has not been approved through a mural permit is considered graffiti.

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 (1) 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. A mural may not be painted onto an unpainted historic surface, such as brick.

E. Timing. A wall mural must be completed within ninety (90) days after the date painting commences. The final anti-graffiti protective clear-coat must be applied within this ninety (90) day period. Time extensions may be granted by the Community Development Director in thirty (30) day increments up to a maximum of sixty (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 City Council. 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. 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. Have a plan for painting the mural that ensures the safety of painters and the public, and that does not impede public access. In the event that the safety plan submitted is not being adhered to, and the City has identified a safety risk to either the artist and/or the public, the City has the right to stop work until such time that safety issues or concerns are addressed by the artist.

9. To the extent feasible, the mural shall be vandal and graffiti resistant by using an approved graffiti/UV coating.

J. Conditions of Approval. The City Council shall identify conditions of approval to the issuance of a wall mural permit.

K. 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, defend, 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. (Ord. 20-04 § 5, 2020; Ord. 17-04, 2017)

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.

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 ninety (90) days after the date painting commences. The final anti-graffiti protective clear-coat must be applied within this (ninety) 90-day period. Time extensions may be granted by the Community Development Director in thirty (30) day increments up to a maximum of sixty (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, pealing 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 City Council. 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. 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 City Council shall identify conditions of approval to the issuance of a wall mural permit.~~

~~K. 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, defend, 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 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 enjoinment pursuant to Chapter 17.94. The remedies provided for in this section are cumulative and nonexclusive.

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.

Commented [TM190]: What about non-collapsible frames? Can’t an awning be attached to a building and have a fixed frame?

"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.

“Can or cabinet sign” means a sign that contains all the text and/or logo symbols within a single enclosed box-shaped cabinet where the translucent face of the sign can be interchanged to change the sign message without having to remodel the cabinet. It is mounted to a wall or other surface and illuminated from within the cabinet.

"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.

"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 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~~parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the Glossary of this Code~~.

Commented [TM191]: Copied and pasted from 17.98.020.

"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.

"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.

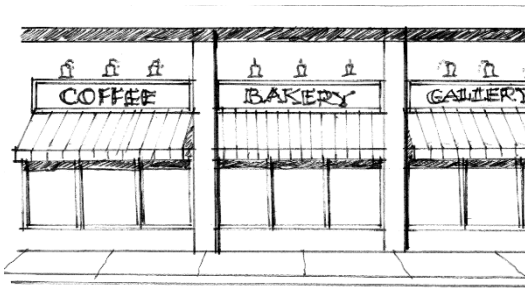
"Sign structure" means any structure which supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a building. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign including the sign copy and all structural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

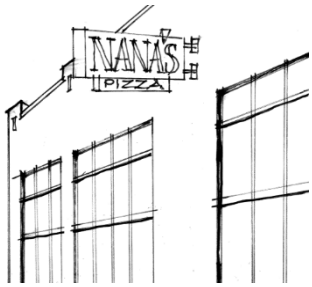
17.56.320 Illustrations of signs.

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.

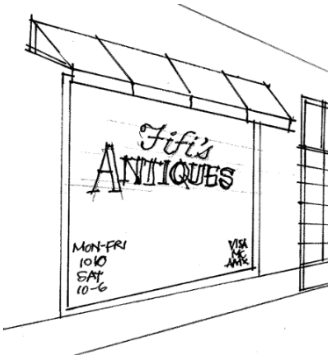


Building Sign

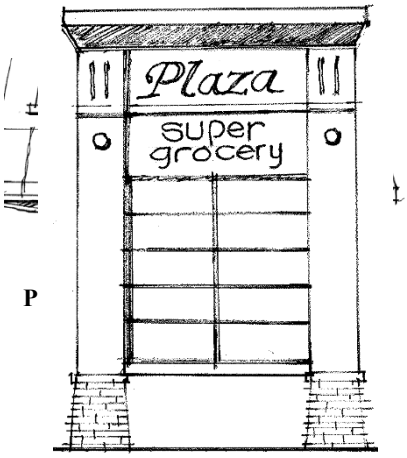
Hanging Sign



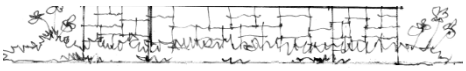
Building Sign Projecting over-Right of-Way



Permanent Sign Affixed to Window



P



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.
17.60.095 Mini-warehouses or self-storage facilities.
17.60.100 Mobilehome parks.
17.60.110 Outdoor dining areas.
17.60.120 Outdoor storage areas.
17.60.130 [Reserved]
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.

Commented [TM192]: The provisions of the pending ADU ordinance need to be inserted.

~~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 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.~~

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.

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.

A. 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.

B. 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.

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.

Commented [TM193]: Manufactured homes are ADUs for purposes of state law, and it is question whether the age restriction of subsection A. is enforceable.

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.

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.

17.60.095 Mini-warehouses or self-storage facilities.

A mini-warehouse or self-storage facility in the R-L-5 zone shall only be located on a parcel that has frontage on and adequate main access to an arterial or collector street.

17.60.100 Mobilehome parks.

A. With the exception of a mobilehome utilized as an accessory dwelling unit that satisfies the requirements of Section 17.60.090 above, ~~N~~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.

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 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 by a single owner, 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.

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~~w~~/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. Such clearance requirement shall be in addition to any applicable federal or state accessibility mandates.

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.

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~~closure 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, or for public health and/or safety reasons.

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

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, and the applicant shall cause its insurer to waive the right of subrogation with respect to the City and its officials, officers, employees, and agent. The applicant will deliver to the City endorsements to the applicant's insurance policy as evidence of the satisfaction of these insurance requirements.

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.

Commented [TM194]: This provision creates discretionary authority for purposes of CEQA. Objective standards should be listed if the City wishes to avoid the "discretionary" issue.

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, must 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 [Reserved]

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.

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

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 secondary effects associated with adult entertainment establishments, including, without limitation, 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 recordings, slides, video or audio tapes, records, or forms of visual or audio representations

that 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.

"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.

"Headshop" 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.

"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 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.~~

Commented [TM195]: Deleted because massage businesses are governed by Ch. 8.28.

"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 (headshop)" 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~~establishment" shall include ~~massage or~~a 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~~ horizontal line immediately above the top of the areolae; or

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Buttocks are defined as the portion of the human body in which the gluteal muscles, including the gluteus maximus, gluteus medius, and gluteus minimus, are located.

"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,~~conveyance of a 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:

Commented [TM196]: What about mixed use?

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;
10. Body painting studio;

~~11. Massage parlor;~~

11~~2~~. Adult video games;

12~~3~~. Adult video cassette sales and rentals;

13~~4~~. Sexual encounter establishment;

14~~5~~. Headshop; or ~~: "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~~.

15~~6~~. 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~~this Title 17 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 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.

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 or similar devices used for the transmission or reception of electromagnetic signals, including but not limited to, radio waves and microwaves.

"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 monopoles. 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.

"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.

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-locate 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 a permit issued in accordance with the rules and regulations of the Federal Communications Commission (FCC) that specifically allows for the construction of the antenna.

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~~ conflicts 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.

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.

6. 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.

B. 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 CO 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.

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.

Commented [TM197]: The granting of exceptions is a discretionary action.

Commented [TM198]: This is definitely a discretionary action that will trigger CEQA.

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.

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 and the Hanford Municipal Code. 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.

Commented [TM199]: This is another example of discretionary authority. To eliminate discretionary authority, the paragraph should be modified to set forth or identify objective standards established elsewhere that identify the circumstances under which landscaping will not be needed; alternatively, landscaping should be required under all circumstances.

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.

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 City 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 tax assessor 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 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 17.69
COMMERCIAL CANNABIS-RELATED USES AND ACTIVITY

Sections:

17.69.010 Purpose.
17.69.020 Definitions.
17.69.030 Location of commercial cannabis businesses – Storefront retail dispensaries.
17.69.040 Location of commercial cannabis businesses – Cultivation, dispensaries (non-storefront retail), microbusiness, manufacturing, testing facilities, distributors and transporting.
17.69.050 Distances measured – Applicable properties.
17.69.060 Certification from the Community Development Director.

17.69.010 Purpose.

The purpose of this chapter is to further fulfill the purposes and intents set forth in Title 5 of the Hanford Municipal Code. No person shall operate a commercial cannabis business without first obtaining a City commercial cannabis business permit and complying with all the requirements of Title 5 of the Hanford Municipal Code and complying with all applicable State law requirements including obtaining a business license or permit required by the State to operate a commercial cannabis business.

17.69.020 Definitions.

Unless otherwise provided herein, the terms used in this chapter shall have the meanings ascribed to them in Title 5 of the Hanford Municipal Code.

17.69.030 Location of commercial cannabis businesses – Storefront retail dispensaries.

Storefront retail dispensaries shall be a conditional use in the MX-D zone, subject to the following requirements:

A. Storefront retail dispensaries shall be located no closer than two hundred (200) feet to any property zoned RL-5, RL-8, RL-12, R-M, R-H that is in existence at the time the application is submitted. If any part of an MX-D zoned parcel falls within the two hundred (200) foot radius from the above listed residentially zoned properties, then the entire parcel shall be excluded from allowing the commercial cannabis business.

B. It shall be no closer than six hundred (600) feet from any portion of any parcel containing any of the following that is in existence at the time the application is submitted:

1. A school (whether public, private, or charter; including pre-school, transitional kindergarten, and K-12);

2. A daycare facility serving nine (9) or more children and is licensed by the State;

3. Any youth facility as defined in State of California Health and Safety Code Section 11353.1(e)(2). Youth Facility is further defined to mean any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades where ten (10) or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business, or similar amusement park facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on a public or private school grounds, or on city, county or state parks. This definition shall not include any private commercial activity including martial arts, yoga, ballet, music or similar studio of this nature nor shall it include any private athletic training facility or pizza parlor, dentist office or doctor's office primarily serving children.

17.69.040 Location of commercial cannabis businesses – Cultivation, dispensaries (non-storefront retail), microbusiness, manufacturing, testing facilities, distributors, and transporting.

Commercial cannabis businesses, including those permitted to engage in cultivation, dispensaries (non-storefront retail), microbusiness, manufacturing, testing, distribution and transporting of cannabis and cannabis products shall be permitted only if all the following requirements are met:

A. The commercial cannabis business, other than a storefront retail dispensary, must be located on property zoned ~~zoned I-H-Heavy Industrial District.~~as follows:

1. Cannabis cultivation businesses must be located on property zoned I-H-Heavy Industrial District

2. Cannabis manufacturing businesses must be located on property zoned I-H-Heavy Industrial District

3. Cannabis microbusinesses must be located on property zoned I-H-Heavy Industrial District

4. Cannabis testing facilities must be located on property zoned I-H-Heavy Industrial District or I-L-Light Industrial District

5. Cannabis distribution businesses must be located on property zoned I-H-Heavy Industrial District or I-L-Light Industrial District

B. The property on which the commercial cannabis business is located must also meet all of the following distance requirements:

1. It shall be no closer than two hundred (200) feet to any property zoned RL-5, RL-8, RL-12, R-M, R-H that is in existence at the time the application is submitted, including any legal nonconforming residential uses as of the date the commercial cannabis business permit is issued. If any part of an I-H zoned parcel falls within the two hundred (200) foot radius from residentially zoned properties within the City, then the entire parcel shall be excluded from allowing the commercial medical cannabis business.

Commented [TM200]: What about residentially zoned property located in the County?

2. It shall be no closer than six hundred (600) feet from any portion of any parcel containing any of the following that is in existence at the time the application is submitted:

a. A school (whether public, private, or charter; including pre-school, transitional kindergarten, and K-12);

b. A daycare facility serving nine (9) or more children and is licensed by the State;

c. Any youth facility as defined in State of California Health and Safety Code Section 11353.1(e)(2). Youth Facility is further defined to mean any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades where ten (10) or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business, or similar amusement park facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on public or private school grounds, or on city, county or state parks. This definition shall not include any private commercial activity including martial arts, yoga, ballet, music or similar studio of this nature nor shall it include any private athletic training facility or pizza parlor, dentist office or doctor's office primarily serving children.

17.69.050 Distances measured – Applicable properties.

The distance between parcels shall be the horizontal distance measured in a straight line from any property line of the sensitive use to the closest property line of the lot on which the commercial cannabis business is to be located, without regard to any intervening structures. The distance requirements in this chapter shall only be applicable with respect to properties located in the City's limits, unless otherwise required by State law. The distance requirements shall not be applicable with respect to any property located outside the City limits.

17.69.060 Certification from the Community Development Director.

Prior to commencing operations, a commercial cannabis business must obtain a certification from the Community Planning Director or designee certifying that the business is located on a site that meets all the requirements of this title and Title 5.

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.

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.

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

Commented [TM201]: Expand the table to include Temporary Use Permit?

Commented [TM202]: Labeling a type of application discretionary or ministerial is not controlling. In the event of a challenge, a court will look to whether the approving party possesses discretion when making a decision. For example, in one appellate court case, the court determined that a well permitting process was discretionary because, even though the ordinance established parameters for the location of wells, staff members were allowed to deviate from such parameters based upon their personal judgment.

Commented [TM203]: As Ch. 17.74 is currently written, Administrative Use Permits are discretionary because HMC § 17.74.040.D. identifies the following as a required finding, "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." This authority is discretionary because the CD Director can utilize his judgment when establishing conditions to address detrimental impacts. See proposed changes to Ch. 17.74 to eliminate discretionary authority.

Commented [TM204]: Temporary use permits are discretionary in light of the authority given to the CD Director. See comments below in Ch. 17.76.

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.

17.70.120 Hearing rules and procedures.

Public hearings before the City Council and the Planning Commission shall be conducted in accordance with Section 2.04.030 of the Hanford Municipal Code.

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 non-legislative 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.

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. A 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 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.

17.70.280 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.

Chapter 17.72
SITE PLAN REVIEW PERMITS

Sections:

17.72.010 Purpose.
17.72.020 Applicability.
17.72.030 Site plan review ~~committee~~process.
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~~ Additional permits.

17.72.010 Purpose.

The purpose of the site plan review permit is to assure that developments, new and remodeled buildings and structures, and improvements to land are reviewed to assure ~~substantial~~ compliance with the objective provisions of applicable statutes, ordinances, regulations, and other fixed standards, including, the city's general plan, municipal code, and policies~~,~~ and improvement standards of the city and the state.

Commented [TM205]: "Substantial" was deleted because discretion is exercised when determining whether substantial compliance exists.

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 Community Development Director 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:

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~~process.

~~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.~~ A. Community Development Director Authority. The city's Community Development Director shall have authority over the site plan review process described in this chapter. The Community Development Director shall possess the authority to require involvement of other city personnel in the review process who he or she deems appropriate and may delegate authority to one or more such persons.

B. Powers and Duties. ~~The Site Plan Review Committee~~With respect to the site plan review process, the Community Developer Director shall have the power to:

1. Review site plan ~~review permit applications~~ submittals for compliance with the objective provisions of applicable statutes, ordinances, regulations, and other fixed ministerial standards, including, without limitation, the city's general plan, municipal code, and policies and improvement standards of the city and the state ~~consistency with the General Plan, municipal code, policies, regulations, and improvement standards of the city~~and require revisions to a site plan to bring it into conformance with such authority. The Community Development Director's exercise of such authority is ministerial and shall be limited to causing compliance with such statutes, ordinances, regulations, and other fixed standards. Should, however, substantial evidence illustrate that a proposed project, which is not otherwise subject to discretionary approval pursuant to this Title 17, will have a significant impact on the environment, the Community Developer Director will evaluate the project in accordance with the California Environmental Quality Act and shall possess discretionary authority to impose upon the project conditions and requirements mitigating the project's impacts to less-than-significant.

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~~3. Issue the site plan review permit subject to stated revisions.

~~6~~4. Require that the site plan be resubmitted with required revisions.

~~7. Require improvements that are needed for the subject property to comply with current laws, ordinances, and requirements, including the City's design standards.~~

17.72.040 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;

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;

Commented [Gd206]: Per Ty's email on 7/21/2020

If improvements (like frontage improvements) are required for projects that merely require SPR, it would be good to add a section to HMC Ch. 17.72 stating that projects may be required to construct improvements that are needed for the subject property to comply with then-current laws, ordinances, and requirements, including the City's design standards. Having clear legal authority for requiring such improvements will be helpful if there is a challenge.

Commented [TM207R206]: Subsection 7 was deleted as its provisions are now contained in Subsection 1.

20. Such other data as may be required to permit the Site Plan Review Committee to evaluate the site plan.

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.

Commented [TM208]: Some cities require an applicant to sign an agreement upon SPR approval. The agreement outlines conditions of approval and is recorded against the property. Does the City want to add such a requirement?

A. The ~~Site Plan Review Committee~~Community Development Director shall declare ~~their~~ his or her 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~~Community Development Director shall, in writing to the applicant, either approve the site plan review permit with required revisions, or require resubmittal of the site plan and identify required revisions.

17.72.060 Appeals.

Appeals of ~~the Site Plan Review Committee's~~Community Development Director's decision shall be submitted and processed consistent with the procedures in Chapter 17.70.

17.72.070 Life of permits and extensions of time.

A. 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.

B. Prior to expiration, the Community Development Director may extend the permit expiration date by one (1) year if there is substantial evidence that the applicant is diligently pursuing building permit approval or commencement of the use.

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~~ Additional permits.

~~Subsequent~~ Other development permits ~~associated with~~required for the ~~site plan review permit~~project 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~~ Additional 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 objective standards ~~set forth in this title~~ that are specific to that use, with the intent that uses that meet all of the objective 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 17.70.0~~7~~60~~ 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~~:Community Development Director must find that

~~A.~~ the use complies with the objective provisions of statutes, ordinances, regulations, and other fixed standards, including, the city's general plan, municipal code, and policies and improvement standards of the city and the state. The Community Development Director's exercise of such authority is ministerial and shall be limited to causing compliance with such statutes, ordinances, regulations, and other fixed standards. Should, however, the Community Development Director determine that substantial evidence illustrates that a proposed project will have a significant impact

Commented [TM209]: This paragraph was revised to largely establish the CD Director's authority as ministerial, which causes the admin. use permit process to resemble SPR. If such approach does not work, the City could retain the original provisions of 17.74.040 and .090 and treat the administrative use permit process as discretionary for purposes of CEQA.

on the environment, the Community Developer Director will evaluate the project in accordance with the California Environmental Quality Act and shall possess discretionary authority to impose upon the project conditions and requirements mitigating the project's impacts to less-than-significant.~~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;~~

~~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.~~

Commented [TM210]: Deleted because Subsection A. already covers consistency with the Zoning Ordinance's objective standards. Further authority to determine whether a proposed use is subjectively consistent with existing and projected uses is discretionary in nature.

Commented [TM211]: Deleted because it is a form of discretionary authority.

17.74.050 Notices of decision.

Notices of decision of an administrative use permit shall be processed consistent with Chapter 17.70.170. In addition to Chapter 17.70.170, 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~~ Additional Permits.

~~Subsequent d~~Development permits that may be needed for a project in addition to ~~associated with the~~an administrative use permit shall be considered in a manner consistent with the site plan review permit process. If there is a change in the proposed development, a new ~~site plan~~administrative use application shall be submitted.

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 non-discretionary review and determination for proposed and qualifying short term uses and activities to ensure that such activities are consistent with the objective standards of the general plan and the provisions of this title.

Commented [TM212]: Ch. 17.76 was modified to limit the CD Director's authority to ministerial actions unless there is substantial evidence of a significant impact to the environment, in which case discretionary conditions and requirements may be imposed. If the City intends for the temporary use permit process to be discretionary, the changes to .010, .030.J., .040, .060, and .070 should be rejected.

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~~ city's development standards:

A. Construction yards, storage sheds, and construction offices (on site) in conjunction with an approved construction project where the yard, ~~and/or~~ shed, and/or office are located on the same site as the approved project.

B. Emergency public health and safety facilities established by a public agency.

C. 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.

D. Entertainment and assembly events as part of an allowed permanent use (e.g., race at a raceway).

E. Events held exclusively on city property and that are in conjunction with the city use.

F. Events held exclusively at a school site that are in conjunction with the school use.

G. Events held exclusively on religious institution or facility site and that are in conjunction with that religious institution or facility use.

H. Garage and yard sales held on private property.

I. 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.

J. 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 or when located in nonresidential zone district for periods less than forty-five (45) days.

K. Outdoor sales operating in front of an established commercial business ~~from~~by a bonified charity organization with a recognized as a 501(c)(3) organization by the Internal Revenue Service, i.e. eligible to receive tax-deductible contributions. (i.e. Girl Scout Cookie Sales)

L. Residential lemonade stands and the like, operated by minors, with gross sales less than x.

CHARITABLE ORGANIZATION: An organization recognized as a 501(c)(3) organization by the Internal Revenue Service, i.e. eligible to receive tax-deductible contributions.

Commented [GM213]: Do we want to add an exemption for lemonade stands, in case we are ever asked?

Commented [TM214R213]: Daniel Cokely is in his 30's and has special needs. He has operated a lemonade stand for many years. Perhaps it would be best to delete "operated by minors" and allow residential lemonade stands as long as they gross less than a specified amount.

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, shed, or office 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).

Commented [TM215]: What is "large"?

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, when applying objective factors, 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.

Commented [TM216]: 17.76.050 gives the CD Director discretionary authority to waive improvement requirements. If the City wants to avoid triggering CEQA, this section needs to be deleted, or, if it is to be retained, it must be heavily modified to identify objective standards that the CD Director will utilize so that the Director possesses no discretionary authority unless there is substantial evidence of a significant impact.

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 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 use complies with the objective provisions of applicable statutes, ordinances, regulations, and other fixed standards, including, the city's general plan, municipal code, and policies and improvement standards of the city and the state. The Community Development Director's exercise of such authority is ministerial and shall be limited to causing compliance with such statutes, ordinances, regulations, and other fixed standards. Should, however, the Community Development Director determine that substantial evidence illustrates that a proposed project will have a significant impact on the environment, the Community Developer Director will evaluate the project in accordance with the California Environmental Quality Act and shall possess discretionary authority to impose upon the project conditions and requirements mitigating the project's impacts to less-than-significant.~~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~~commercial 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.

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.

Commented [TM217]: Discretionary. Suggest that this sentence be replaced by more specific prohibitions.

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 there is substantial evidence that the land use will create a significant impact to the environment. ~~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.

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 to an extent that would exceed the conditions of normal residential activities.

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 three deliveries 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~~Municipal Code.

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.~~

Commented [TM218]: Discretionary authority.

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.

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;~~

Commented [TM219]: Discretionary authority.

~~B~~A. The home occupation permit was obtained by misrepresentation or fraud;

~~C~~B. 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~~C. One or more of the operating standards of the home occupation permit have not been met;

~~E~~D. 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;

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 conditional use 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 on the conditional use permit that are needed for the required findings to be made or which 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~~ Other Permits.

~~Subsequent~~ Other development permits required for the project ~~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.
17.82.090 Appeals.
17.82.100 Life of permits and extensions of time.
17.82.110 Revocation.
17.82.120 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~~Community Development Director, 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:

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 at 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;

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 on the planned unit development permit that are needed for the required findings to be made or which promote well-planned neighborhoods, protect 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.

17.82.090 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.

17.82.100 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.

17.82.110 Revocation.

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

17.82.120 Subsequent permits.

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

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 specifically identified 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.

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 an objective ~~measurable~~ development standard;

2. The minor deviation would allow an adjustment to an objective ~~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 be consistent 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 shall be processed as a variance.

17.84.050 Variance findings.

A. Before a variance 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 that are in the same zone district;

2. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity and that are in the same 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 that are in the same 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 that are in the same 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 be consistent 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.

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.

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.

Commented [TM220]: Deleted because the required findings are identified in 17.86.030.

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 upon a written request with application fee by 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;

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.

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 upon a written request with application fee by 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.

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~~ shall be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

Commented [TM221]: Deleted because if a GP amendment creates an inconsistency with Title 17, the ZO must be amended. In other words, inconsistency with the ZO would not be a basis to withhold GP amendment approval.

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.

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 structures, and lots 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.~~

Commented [TM222]: Deleted because the issuance of a building permit does not establish vested rights. Rights vest only after permit issuance and the expenditure of funds in reliance on the permit.

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.

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 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.

E. No new structure will be allowed if it will contribute to a nonconforming use, except in accordance with Section 17.90.070.

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, provided that the intensity of the agricultural crop production use shall not increase.

C. An animal raising use that is nonconforming due to annexation or adoption or amendment to this title shall be allowed to continue, 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~~ damaged 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~~ damage 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 event causing damage, 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.

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.

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.

Commented [TM223]: Is this requirement being satisfied?

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.

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 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. The Council or its designee ~~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.

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 attorneys' fees.

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.**
17.94.170 **Appeal of costs of abatement.**
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.

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:

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 City Council or the Code Enforcement Officer identifies an alternative 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 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 **or its designee**~~city manager. 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. Except as

otherwise provided herein, no appeal hearing shall be held unless all unpaid fines have been deposited with the city in advance. Notwithstanding such deposit requirement, the deposit of fines shall be waived if the city manager determines that the appealing party is financially unable to pay such amount. A waiver request must be submitted to the community development director with the person's request for appeal, along with a sworn declaration and other supporting documents and materials showing the person's actual financial inability to deposit the fine amount. The appealing party bears the burden of demonstrating financial hardship to the satisfaction of the community development director. If the city manager determines that a waiver is warranted, the deposit will be waived or partially waived. If the city manager finds that a waiver is not warranted, the appealing party must, within three (3) business days of the party's receipt of the city manager's written decision, deposit of the fines for the person's appeal to be processed.

Commented [TM224]: The deposit of fines is a new practice that was added when the fireworks ordinance was adopted.

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~~ be deemed 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 a failure to exhaust administrative remedies and will be 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 designate or appoint a hearing officer, and in no event shall the Code Enforcement Officer, nor any other officer or employee in his or her department, be the hearing officer for appeals occurring under this Chapter 17.94.~~The City Council shall conduct a public hearing and accept oral and written evidence regarding the administration citation in the following manner~~:

G. Hearing Procedure.

Commented [TM225]: Subsection G. was taken from the hearing procedures outlined in the fireworks ordinance.

1. Except as otherwise provided herein, no hearing to contest an administrative citation shall be held unless the fine has been deposited with the city in advance.

2. A hearing shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

3. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

4. The failure of any recipient of an administrative citation to appear at the appeal hearing shall constitute a forfeiture of the fine and a failure to exhaust his/her/their administrative remedies.

5. The administrative citation and any additional report submitted by the Code Enforcement Officer shall constitute prima facie evidence of the respective facts contained in those documents.

6. The hearing officer may continue the hearing and request additional information from the Code Enforcement Officer or the recipient of the administrative citation prior to issuing a written decision.

~~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~~H. Hearing Decision. ~~The City Council may sustain, modify, or overrule the administrative citation.~~

1. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold, modify, or cancel the administrative citation and shall list in the decision the reasons for the decision. The decision of the hearing officer shall be final.

2. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

3. If the hearing officer determines that the administrative citation should be rescinded, then the city shall promptly refund the amount of the deposited fine.

4. If the hearing officer determines that the fine levied under the administrative citation should be adjusted, then the city will promptly refund the amount of the deposited fine that exceeds the amount fixed by the hearing officer or the recipient of the administrative citation will promptly pay to the city an additional amount fixed by the hearing officer if the officer finds that the fine assessed under the administrative citation to be insufficient.

~~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.

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 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~~by 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.

A. 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. Alternatively, the unpaid amount may be added to the tax roll instead of recording a notice of lien.

B. 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.

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 levy criminal or civil fines or 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.

Chapter 17.96
DEFINITION OF LAND USES

Sections:

17.96.010 Purpose.
17.96.020 Land use definitions.

17.96.010 Purpose.

The purpose of this chapter is to establish definitions for the identified land uses in this title.

17.96.020 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.

"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. (41) (A20)

"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. (41) (A20)

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 or federal 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 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," "commercial marijuana activity," "commercial cannabis activity," "marijuana cultivation," 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)

Commented [TM226]: Arguably, the City is operating a commercial enterprise if it charges youth athletic organizations and members of the public for use of the City's athletic facilities.

"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)

"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)

Commented [TM227]: The Civic would not be an auditorium since many events are not generally open to the public.

"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 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 class, 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 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 (less than 5,000 barrels) 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)

"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)

"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)

"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)

"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)

"Communication broadcasting or media studio" **means commercial telecommunications transmission facilities and studios that create broadcasting or media content outside of an office environment, including but not limited to radio, television or Internet broadcasting facilities, audio rehearsal or recording studios, motion picture studios, sound stages, special effects studios, and similar uses. Excludes public utility and wireless communication facilities. (E3)**

Communications equipment building. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

"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)

"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~~charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.~~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)

Commented [JW228]: Matches AB 1236

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)

"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 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)

"Food produce stand" means an area or building set aside for the sale of agricultural produce that is grown primarily on the site. (I13)

"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. (I14)

"Fuel sales, retail" means an establishment that provides gasoline, propane, diesel fuel, and/or other liquid or gaseous fuels directly to consumers. (I15)

"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. (I16, I17, I18)

"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. (I19)

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. (I15)

"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)

"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, General" 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)

"Industrial or manufacturing facility, intensive" means a facility that regularly uses hazardous chemicals or procedures or produce hazardous by products, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This subcategory also includes biomass energy conversion, chemical manufacturing, animal food manufacturing, petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, ~~and~~ or traffic.

"Industrial or manufacturing facility, limited" 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. (I20)

"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 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. (I21)

"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)

"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. (I22)

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)

Commented [TM229]: Change "marijuana" to "cannabis" to create consistency with other ordinances?

Commented [JW230R229]: Remove and update definitions to match State law

"Marijuana dispensary or sales" means a facility that provides marijuana or marijuana products to a customer or patient. (I23)

"Marijuana manufacture, transportation, distribution or lab testing" means a facility that compounds, blends, extracts, infuses, or otherwise makes or prepares a marijuana product; transports, distributes or test marijuana. (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, and may or may not include food service. Typically, a microbrewery produces fewer than fifteen thousand (15,000) barrels of beer or ale per year. This use typically requires an ABC Type 23 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. (56) (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)

"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. (I24)

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. (I25)

"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. (57) (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)

"Pawn shop" means an establishment that provides secured loans to customers, with items of personal property used as collateral. (I26)

"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. (I27)

"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. (13) (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)

"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. (58) (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; **employees shall not be counted toward the total number of persons allowed**. (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 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 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. (I28)

"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. (I29)

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. (59) (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. (60) (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. (I30)

Service station. See Fuel sales, retail, and Motor vehicle repair or service, minor. (I15) (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)

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. (61) (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.' (I31)

"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)

"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. (I32)

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, hospital-based health 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)

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)

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.

"Action" means the decision made by the reviewing 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.

"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.

"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; 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 or sale 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.

“Display area” means the area of a building in a retail sales store used to display goods that are for sale.

“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.

“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.

"Floor area" means the gross area included within the surrounding exterior finish wall surface of a building or portion thereof, exclusive of courtyards.

"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 of 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.

"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;

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.").

"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 distant from and most closely parallel to the front lot line.

"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.

"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 that portion of the public street right-of-way between the curb or curb line and the adjacent sidewalk or property line, as applicable, used for or which may be used for the purpose of planting and maintaining street trees, shrubs, hedges, or other plants. In some areas within the city, park strips may extend into a private property's yard beyond the sidewalk. Park strips may be located on private property or may abut private property.

"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.

"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, voluntary purchase and sale, or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or any other public uses.

Commented [TM231]: Is "public right-of-way" a subset of the "right-of-way" definition set forth below?

"Recreational vehicle" means a vehicle or trailer capable of human habitation or designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designated a recreational vehicle and bearing the insignia of the state of California or any other state or federal agency having the authority to approve recreational vehicles. RVs include, without limitation, any of the following: camp trailer, as defined by the California Vehicle Code Section 324; house car, as defined by California Vehicle Code Section 362; trailer coach, as defined by California Vehicle Code Section 635; mobile home, as defined by California Vehicle Code Section 396; bus, as defined by California Vehicle Code Section 233, whether altered or unaltered or for commercial or private use; boat, watercraft, and/or trailer for a boat or watercraft; trailers designed to carry persons, property or animals on its own structure and to be drawn by a motor vehicle; and recreational vehicle, as defined by the California Health and Safety Code Section 18010.

"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 purchase, 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 0.5 or more, and to the next lowest whole number when the fraction is less than 0.5, except as otherwise provided in this ~~zoning code~~Title.

"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.

"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" means 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 and accepted by a public agency which have been improved ~~or for which a bonded improvement agreement is in effect~~.

Commented [TM232]: Deleted because the City we do not want the City to become liable for a street before its dedication and acceptance.

"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.

"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.~~

Commented [TM233]: Deleted because it there is a definition for "structure, temporary."

"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.

"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 district” means a portion of the city within which certain uses of land and structures are defined, and regulations are specified.

Manufacturing and Processing Definitions to be added:

"Agricultural technology" means an establishment~~s~~ engaged in conducting research and experimental design, development, and manufacturing of solutions to needs related to agriculture including ~~agricultural solutions and technologies,~~ bio-chemical technology, biodegradable agro inputs, bio-disinfectants, fertilizers, and pesticides, cell culture, DNA sequencing, food plant science and technology, genetic engineering, mapping, and transformation, genetically modified foods and plants, molecular genetics, nutrition research, pest inhibitors and processing of herbs and spices.

"Beverage production" means a manufacturing facility~~ies~~ including a bottling plant~~s~~, ~~breweries~~brewery, coffee roasting, soft drink production, and ~~wineries~~winery. Does not include milk processing, which is included under the definition of "food and beverage manufacturing." May include tasting and ~~accessory (~~ancillary ~~)~~ retail sales of beverages produced on site. A tasting facility separate from the manufacturing facility is included under the definition of "bar, nightclub, or lounge" if alcoholic beverages are ~~tasted (~~available for tasting and/or consumption on site. ~~).~~

"Blacksmith or metal products fabrication" means ~~"Metal products fabrication" means~~ the assembly of metal parts, including blacksmith and welding shops, boiler shops, machine shops, and sheet metal shops that produce cabinets and enclosures, metal doors and gates, metal ductwork, tanks, towers, and similar products. ~~See "metal products fabrication."~~

"Boat building and repair" means an establishment~~s~~ that builds or repairs boats and associated marine equipment (e.g. jet skis, trailers, etc.).

"Cannabis cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis and includes, but is not limited to, the operation of a nursery.

"Cannabis distribution" means the procurement, sale, and transport of cannabis and cannabis products between licensees.

"Cannabis manufacturing" means all aspects of the extraction process, infusion process, post-processing, remediation, and packaging and labeling processes, including processing, preparing, holding, and storing of cannabis products. Manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

"Cannabis retail" means a facility where cannabis or cannabis products, are offered, either individually or in combination, for retail sale, including an establishment that engages in delivery of cannabis or cannabis products as part of a retail sale.

"Cannabis testing" means a laboratory~~ies~~ that test cannabis goods prior to sale at a retailer.

“Chemical products manufacturing” ~~mean~~means a ~~s~~ manufacturing establishment~~s~~ that produces or uses basic chemicals and establishments creating products predominantly by chemical processes. Establishments classified in this ~~major~~ group manufacture three (3) general classes of products: (1) basic chemicals including acids, alkalis, salts, and organic chemicals; (2) chemical products to be used in further manufacture, including dry colors, plastic materials, pigments, and synthetic fibers; and (3) finished chemical products to be used for ultimate consumption including drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries, including paints and fertilizers.

“Clothing production”~~s”~~ means a manufacturing establishment~~s~~ producing clothing, and fabricating products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics, and furs. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing are instead included under "Tailoring or clothing alterations".

“Concrete and cement productions~~s~~” means a manufacturing establishment ~~s~~ producing bulk concrete, concrete building block, brick, and all types of precast and prefab concrete products. ~~Also~~ This use also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, including plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under "Building materials and supply or home improvement store".

“Electrical equipment and component manufacturing” means an establishment ~~s~~ engaged in manufacturing distribution, power, and specialty transformers; electric motors, generators, and motor generator sets; industrial controls; relays; ~~and~~ switchgear and switchboard apparatus (e.g., circuit breakers, fuses, power switching equipment); electrical equipment and components (except electric lighting equipment) including antennas, cryogenic cooling devices, magnetic cores and sockets.~~.~~

~~“Electronic component manufacturing” means establishments engaged in manufacturing electrical equipment and components (except electric lighting equipment, generators, household type appliances, industrial controls, motors, relays, switchgear and switchboard apparatus, and transformers) including antennas, cryogenic cooling devices, magnetic cores and sockets.~~

“Food and beverage manufacturing” means manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products including bakeries, bottling plants, breweries, candy, sugar and confectionery products manufacturing, catering services separate from stores or restaurants, coffee roasting, dairy products manufacturing, fats and oil product manufacturing, fruit and vegetable canning, preserving, related processing, grain mill products and by-products, meat, poultry, and seafood canning, curing, by-product processing, miscellaneous food item preparation from raw products and soft drink production. May include tasting and

accessory retail sales of beverages produced on site. Does not include: bakeries which sell all products on site, beer brewing as part of a brewpub or microbrewery or coffee roasting as part of a café.

"Furniture and cabinet shops" means an establishment engaged in the production of ~~manufacturers producing:~~ wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes wood and cabinet shops, but not ~~sawmills ,~~sawmills, which are instead included under "lumber and wood product manufacturing."

"Glass production~~s~~" means a manufacturing establishment~~s~~ producing flat glass and other glass products which are blown, pressed, or shaped from glass produced in the same establishment. Includes large-~~-~~scale artisan and craftsman-~~-~~type operations primarily producing ~~primarily~~ for the wholesale market.

"Leather production~~s~~" means the assembly of finished products made primarily from purchased leather goods including: clothing, furniture, luggage, saddles, shoes/boots, and similar items. Does not include dyeing, tanning, or other processing of leather hides.

"Lumber and wood product manufacturing" means manufacturing, processing, and sale~~s~~ uses involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. This use i~~I~~ncludes the following processes and products: containers, pallets, and skids, milling operations (incidental), trusses and structural beams, turning and shaping of wood products, wholesaling of basic wood products and wood product assembly.

"Machinery manufacturing" means the manufacturing of machinery and equipment for purposes and products including the following construction, conveyors, die casting, dies, dredging, engines and turbines, farm and garden, gear cutting, heating, ventilation, air conditioning, industrial molds, materials handling, passenger and freight elevators, pistons, printing, pumps and refrigeration equipment.

~~"Metal products fabrication" means the assembly of metal parts, including blacksmith and welding shops, boiler shops, machine shops, and sheet metal shops that produce cabinets and enclosures, metal doors and gates, metal ductwork, tanks, towers, and similar products.~~

"Monument and tombstone works" means establishments primarily engaged in cutting, shaping, and finishing granite, marble, slate, and other stone for building and miscellaneous uses. Also includes establishments primarily engaged in buying or selling partly finished monuments and tombstones.

“Motor vehicle manufacturing” means the manufacturing and assembly of motor vehicles (e.g., automobiles, boats, campers, golf carts, mobile homes, motorcycles, motorized farm equipment, recreational and utility trailers, trucks, snowmobiles, jet skis, quad runners, and vans) and parts and components directly related to the manufacturing and assembly of motor vehicles.

“Paper product manufacturing” means the manufacturing~~e~~ of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper, etc.

“Pharmaceutical manufacturing” means establishments engaged in the production of drugs and related therapeutic products for distribution to clinics, hospitals, and medical-related facilities.

“Plastics and rubber productions~~s~~” means the manufacturing ~~e~~ of rubber products including: flooring; heels and soles; mechanical rubber goods; rubber footwear; and rubber sundries from natural, synthetic, or reclaimed rubber. ~~Also~~ This use also includes: establishments engaged in molding primary plastics for the trades; manufacturing miscellaneous finished plastics products; fiberglass manufacturing and fiberglass application services; and tire recapping, retreading, and rebuilding.

“Printing and publishing” means an establishment~~s~~ engaged in printing by gravure, letterpress, lithography, offset, screen, or other common process, including electrostatic (xerographic) copying and other “quick printing” services; and establishments serving the printing trade including bookbinding, electrotyping, engraving, photoengraving, and typesetting. This use also includes establishments that publish books, newspapers, and periodicals; and establishments manufacturing business forms and binding devices.

“Structural clay and pottery products” means a manufacturing establishment ~~s~~ primarily producing brick and structural clay products, including plumbing fixtures, vitreous articles, fine earthenware, porcelain electrical supplies and parts, and pipe.

“Surgical and medical instrument manufacturing” means an establishment~~s~~ engaged in manufacturing medical, ophthalmic, surgical, and veterinary instruments and apparatus (except electromedical, electrotherapeutic, and irradiation apparatus).

“Telecommunication component manufacturing” means an e~~e~~stablishment ~~s~~ engaged in manufacturing electromagnetic and photoelectrical broadcast, receiving, repeater station, and transmission equipment for cellular telephone, radio, telegraph, telephone, television, and data network communications, including commercial earth stations for satellite-based communications including antennas, cell phones and components, satellite dish antennas and components, towers and transmission equipment and components.

“Textile productions” means a manufacturing establishments engaged in performing any of the following operations: preparation of fiber and subsequent manufacturing of braids, threads, twine cordage, yarn; coating, waterproofing, or otherwise treating fabric; dyeing and finishing fabric, fiber, yarn, and knit apparel; manufacturing woven fabric and carpets and rugs from yarn; the integrated manufacture of knit apparel and other finished products from yarn; the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles; and upholstery manufacturing.

“Industrial or manufacturing facility, General” 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 does not include Agricultural products processing. (D6)

“Industrial or manufacturing facility, intensive” means a facility that regularly uses hazardous chemicals or procedures or produce hazardous by products, including the following: manufacturing of acetylene, abrasives, acid, aircraft carbon black and lampblack, charcoal, chlorine , coal and coke ovens, cement, corrosive acid or fertilizer lime, disinfectants, explosives, gypsum or plaster-of-Paris, insecticides, poisons, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, tannery, turpentine, wax and wax products, and radioactive materials. This subcategory also includes biomass energy conversion, chemical manufacturing, animal food manufacturing, petrochemical tank farms, gasification plants, smelting, oil refining, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, and or traffic.

"Industrial or manufacturing facility, limited" 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 and industrial services. (D7)

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Appointment of Jim Nelson to the Planning Commission seat with a term ending on 12/31/2024 and Appointment of Bernardo Marez to the Alternate seat with a term ending on 12/31/2026.

RECOMMENDATION:

Recommendation: That the Mayor, with approval of the full City Council, appoint James Nelson to the Planning Commission to fill the Alternate Commissioner seat with a term ending 12/31/2024.

BACKGROUND:

Mr. Jim Nelson has served as the planning commission alternate since May 7, 2024. On June 4, 2024, the Council appointed Marten Devine to the District B Council seat, which opened a voting seat on the Planning Commission. As the seated alternate, Mr. Jim Nelson shall be appointed to the vacant seat.

Mr. Marez was interviewed as part of the Commission selection process and was most recently interviewed by the City Council as a candidate for the District B Council Seat vacancy. The Mayor is putting forth his name for appointment, with the approval of the Council.

Section 2.20.030 of the City of Hanford Municipal Code states that:

"Members of all commissions shall be appointed by the mayor with the approval of a majority of the members of the city council."

FISCAL IMPACT:

ATTACHMENTS:
None

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Authorization for the City to accept an FAA Grant Agreement, once the original is received, for the Hanford Municipal Airport, in the amount of $157,500 for the preparation of a Pavement Maintenance Management Plan and Authorization for the Airport Manager to execute the Grant Agreement and appropriation of $170,000 in the Airport Fund.

RECOMMENDATION:

Recommendation: That the City Council, by motion, Authorize the City to accept an FAA Grant Agreement, once the original is received, for the Hanford Municipal Airport, in the amount of $157,500 for the preparation of a Pavement Maintenance Management Plan and Authorize the Airport Manager to execute the Grant Agreement and appropriate $170,000 in the Airport Fund.

BACKGROUND:

The Federal Aviation Administration (FAA) is in the process of final approval for a grant offer in the amount of $157,500 for the preparation of a Pavement Management Program for the Hanford Municipal Airport. The airport's financial requirement is $9,625. That figure equals the City's required portion of the grant, minus the FAA grant and state matching funds, which will be funded through airport reserves which are set aside for this purpose.

Historically, airports have made decisions about pavement maintenance and rehabilitation (M&R) based on immediate need or experience rather than long-term planning or documented data on effective methods. This approach did not allow the airport sponsor to evaluate the cost effectiveness of alternative strategies, and it led to the inefficient use of available FAA funding.

A Pavement Management Program (PMP) provides a consistent, objective, and systematic procedure for establishing facility policies, setting priorities and schedules, allocating resources, and budgeting for pavement maintenance and rehabilitation. It can also quantify information and provide specific recommendations for actions required to maintain a pavement network at an acceptable level of service while minimizing the cost of maintenance and rehabilitation. A PMP not only evaluates the present condition of a pavement, but also predicts its future condition through the use of pavement condition indicators. By projecting the rate of deterioration, a life-cycle cost analysis can be made for various alternatives to determine the optimal time to apply the best M&R alternative and avoid higher M&R costs in the future.

The Five-Year Capital Improvement Plan calls for significant pavement improvements. However, the existing PMR is outdated and is not prioritized based on the actual condition of the existing

pavement. The FAA requires that an airport have an updated PMR prior to funding any paving projects and, accordingly, they will pay for the majority of the cost to prepare the plan.

The City Council has previously approved the contract with Brandley Engineering to prepare the PMP. This grant will provide the necessary funding to complete the project.

FISCAL IMPACT:

The total cost of this contract is not to exceed $170,000. The FAA will reimburse the City for $153,000. CalTrans Division of Aeronautics will reimburse the City for $8,500. The remaining $8,500 will come from the Airport Enterprise Fund.

ATTACHMENTS:

1. Application - HJO PMMP - 2024 AIP

APPLICATION FOR FEDERAL ASSISTANCE

HANFORD MUNICIPAL AIRPORT
HANFORD, CALIFORNIA

2024 AIRPORT IMPROVEMENT PROGRAM (AIP)

PAVEMENT MAINTENANCE MANAGEMENT PLAN (PMMP)

MARCH 20, 2024

APPLICATION FOR FEDERAL ASSISTANCE

HANFORD MUNICIPAL AIRPORT
HANFORD, CALIFORNIA

2024 AIRPORT IMPROVEMENT PROGRAM (AIP)

PAVEMENT MAINTENANCE MANAGEMENT PLAN (PMMP)

The City of Hanford has prepared and submits herewith an Application for Federal Assistance for a grant under the Airport Improvement Program (AIP) for a Pavement Maintenance Management Plan for the Hanford Municipal Airport.

This application includes the documents listed in the FY24 AIP/AIG Pre-Application Checklist, including the FY24 Airport Project Schedule, Standard Form 424, FAA Form 5100-100, Program Narrative (Justification), project costs including IFE, Exhibit “A”, Standard DOT Title VI Assurances, SAM certificate, and sponsor certifications.

FY24 AIRPORT PROJECT SCHEDULE - AIP
PAVEMENT MAINTENANCE MANAGEMENT PLAN (PMMP)

Airport: Hanford Municipal Airport, Kings County, California

Project: Pavement Maintenance Management Plan (PMMP)

No.	Item	Date		Comments
		SFO ADO Due	Anticipated Submission	
1	Submission of Updated ACIP to SFO-ADO	7/14/23	7/14/23	Submitted 7-13-23
2	Submission of Pre-Application Checklist to ADO by:	9/30/23	9/30/23	Submitted 9-28-23
3	Sponsor Submits IFE & Negotiated Fees for any Engineering Costs		1/31/24	Submitted 3-19-24
4	Final Application	4/1/24		Finalized 3-20-24

Application for Federal Assistance SF-424

*1. Type of Submission:
- ☐ Preapplication
- ☒ Application
- ☐ Changed/Corrected Application

*2. Type of Application
- ☒ New
- ☐ Continuation
- ☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

*3. Date Received:

4. Applicant Identifier:
HJO

5a. Federal Entity Identifier:
HJO - 3-06-0098

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Hanford

*b. Employer/Taxpayer Identification Number (EIN/TIN):
94-6000345

*c. UEI:
DJUXR18MN678

d. Address:

*Street 1: 319 N. Douty Street
Street 2:
*City: Hanford
County/Parish: Kings
*State: Province: CA
*Country: USA: United States
*Zip / Postal Code 93230-9998

e. Organizational Unit:

Department Name:

Division Name:
Airport

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: Robert
Middle Name:
*Last Name: Loogman
Suffix:

Title: Airport Manager

Organizational Affiliation:
Hanford Municipal Airport

*Telephone Number: 559-585-2589 Fax Number:

*Email: rloogman@hanford.city

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Pick an applicant type

Type of Applicant 3: Select Applicant Type:

Pick an applicant type

*Other (Specify)

***10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number**:

N/A

*Title:

N/A

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

***15. Descriptive Title of Applicant's Project**:

Hanford Municipal Airport, Kings County, California: Pavement Maintenance Management Plan

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: 20 *b. Program/Project: 21

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 06/01/2024 *b. End Date: 06/11/2026

18. Estimated Funding ($):

*a. Federal	$ 157,500
*b. Applicant	$ 9,625
*c. State	$ 7,875
*d. Local	$ 0
*e. Other	$ 0
*f. Program Income	$ 0
*g. TOTAL	$ 175,000

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☒ a. This application was made available to the State under the Executive Order 12372 Process for review on 09/30/2023 .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☐ c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**

☐ Yes ☒ No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: Robert

Middle Name:

*Last Name: Loogman

Suffix:

*Title: Airport Manager

*Telephone Number: 559-585-2589 Fax Number:

* Email: rloogman@hanford.city

*Signature of Authorized Representative: Robert Loogman *Date Signed: 03/22/2024

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A

The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

Item 1.
Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?

☒ Yes ☐ No

Item 2.
Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?

☒ Yes ☐ No ☐ N/A

Item 3.
Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.

☐ Yes ☒ No ☐ N/A

Item 4.
Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).

☐ Yes ☒ No ☐ N/A

Item 5.
Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.

☐ Yes ☒ No ☐ N/A

☐ The project is included in an *approved* PFC application.

If included in an approved PFC application,

does the application *only* address AIP matching share? ☐ Yes ☐ No

☐ The project is included in another Federal Assistance program. Its CFDA number is below.

Item 6.
Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?

☐ Yes ☒ No ☐ N/A

If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:

☐ De Minimis rate of 10% as permitted by 2 CFR § 200.414.

☐ Negotiated Rate equal to % as approved by (the Cognizant Agency) on (Date) (2 CFR part 200, appendix VII).

Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term “Sponsor” refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, ‘‘Disclosure Form to Report Lobbying,’’ in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

The City's General Plan was updated in 2017 and the appropriate land use zoning was adopted around the airport to ensure compatible uses.

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Yes

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Yes

6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)).

Yes

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

N/A

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

N/A

PART II – SECTION C (Continued)

9. **Exclusive Rights** – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None

10. **Land** – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

The airport is located on land owened by the City of Hanford as shown on the attached Exhibit "A" dated July 2016 (approved 1/25/2017). There are no exceptions, encumbrances, or adverse interests.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

N/A

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

N/A

[1] State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL	
1. Assistance Listing Number:	20.106
2. Functional or Other Breakout:	

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense			$ 5,000
2. Preliminary expense			70,000
3. Land, structures, right-of-way			0
4. Architectural engineering basic fees			100,000
5. Other Architectural engineering fees			0
6. Project inspection fees			0
7. Land development			0
8. Relocation Expenses			0
9. Relocation payments to Individuals and Businesses			0
10. Demolition and removal			0
11. Construction and project improvement			0
12. Equipment			0
13. Miscellaneous			0
14. **Subtotal** (Lines 1 through 13)			$ 175,000
15. Estimated Income (if applicable)			0
16. Net Project Amount (Line 14 minus 15)			175,000
17. **Less**: Ineligible Exclusions (Section C, line 23 g.)			0
18. **Subtotal** (Lines 16 through 17)			$ 175,000
19. Federal Share requested of Line 18			157,500
20. Grantee share			9,625
21. Other shares			7,875
22. **TOTAL PROJECT** (Lines 19, 20 & 21)			$ 175,000

SECTION C – EXCLUSIONS

23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a. None	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

24. Grantee Share – Fund Categories	Amount
a. Securities	$ 0
b. Mortgages	0
c. Appropriations (by Applicant)	9,625
d. Bonds	0
e. Tax Levies	0
f. Non-Cash	0
g. Other (Explain):	0
h. **TOTAL** - Grantee share	$ 9,625
25. Other Shares	**Amount**
a. State	7,875
b. Other	0
c. **TOTAL** - Other Shares	$ 7,875
26. TOTAL NON-FEDERAL FINANCING	$ 17,500

SECTION E – REMARKS

(Attach sheets if additional space is required)

HANFORD MUNICIPAL AIRPORT – HANFORD, KINGS COUNTY, CALIFORNIA
APPLICATION FOR FEDERAL ASSISTANCE
2024 AIRPORT IMPROVEMENT PROGRAM (AIP) –
PAVEMENT MAINTENANCE MANAGEMENT PLAN (PMMP)

PART IV
PROGRAM NARRATIVE

1. OBJECTIVES

An Application for Federal Aviation Administration Airport Improvement Program (AIP) funds has been prepared for the Pavement Maintenance Management Plan (PMMP) proposed to be included in the 2024 Airport Improvement Program (AIP) for the Hanford Municipal Airport. The project description is as follows:

The F.A.A. has a requirement for the Sponsor, in order to remain eligible for Federal funding, to prepare and maintain an updated copy of the Pavement Maintenance/Management Plan (PMMP) for the airport. A PMMP is necessary to plan all pavement rehabilitation or maintenance projects required at the airport. A new comprehensive PMMP is proposed including pavement condition surveys to determine PCI and non-destructive load tests to determine deep-seated distress and remaining pavement life.

This will include pavement section determination studies to identify all existing pavement sections and underlying subgrade soils, pavement condition surveys to identify surface deterioration conditions and non-destructive load tests to be used with fatigue analysis methodologies to determine deep-seated distress and remaining pavement life. This type PMMP will provide a schedule and type of maintenance and/or reconstruction required to extend the life of the pavement sections at least 20 years using forecast traffic. The results of the PMMP will also include estimated maintenance and reconstruction costs so that the Sponsor and FAA can evaluate timing and type of reconstruction/rehabilitation and/or maintenance required to maintain the pavements in a safe operating condition.

2. RESULTS OR BENEFITS EXPECTED

The preparation of a PMMP for the pavements on the airport will provide critical information as to the condition of the pavements and remaining life of the pavements including PCI and PCR. The PMMP will also provide data on the required maintenance, reconstruction, or rehabilitation required on all pavements on the airport over the next 20 years.

3. APPROACH

A complete and detailed Pavement Maintenance Management Plan/Pavement Evaluation Study will include four major elements as listed below:

a. Pavement Structure Determination – In order to determine the existing strength of each pavement layer and the remaining life of each pavement section, detailed information about each pavement section on the airport must be determined prior to evaluating the non-destructive test data. Any available existing borings will be utilized along with a series of new geotechnical borings and cores to be taken in areas that no previous information is available to determine the thickness of each layer of every

pavement section on the airfield. The results will be summarized for future design projects and utilized with the non-destructive testing (NDT) performed in this project to supplement the pavement condition index data as recommended in Advisory Circular 150/5380-7B Item 2.2.1.2 and Advisory Circular 150/5320-6G Appendix C.

b. Pavement Condition Index (PCI) Determination

Pavements show distress and/or failure due to weathering, other environmental effects, age, traffic, and lack of maintenance. These distresses generally show up in the form of cracking, shoving, spalling, rutting, or other surface defects. A detailed visual inspection will be made of all pavements. The scope of investigation will be performed as set forth in ASTM D5340, Airport Pavement Condition Index Surveys. Once these surveys are complete, Pavement Condition Index values will be assigned to each section of pavement.

c. Deep-Seated Distress

Deep-seated distress is a result of traffic passing over the pavement section and is a function of the type traffic (impact or static loads), the load on the tire, and the number of aircraft coverages. Deep-seated distress ultimately leads to total failure of the section including critical subgrades or subsoils. These failures are generally exhibited as rutting and map cracking within the ruts for flexible pavements and slab shattering, cracking, or deflections in rigid pavements. The failure is generally a fatigue-type failure and is a function of the type load and number of coverages. Non-destructive testing will be conducted to obtain the necessary basic data to evaluate these pavements. On areas where deep-seated distress analysis is required, all pavements are tested with the falling weight deflectometer with the spacing of the tests being 100 to 200 feet. The modulus of elasticity of each pavement layer is calculated from the falling weight deflectometer data. Each pavement section is then analyzed with the forecast traffic utilizing both the Brandley Fatigue Analysis methodology and the FAA FAARFIELD methodology to predict time of failure under fatigue loading.

d. Pavement Maintenance Management Program (PMMP) Report

A PMMP report will be prepared that summarizes all data obtained in the geotechnical and pavement section determination, PCI determination, PCR, and deep-seated distress study derived from this data. The report will include a detailed pavement rehabilitation plan and schedule including estimated budgets, plus the following:

1. Traffic Determination and Forecasts

When evaluating airfield pavements for deep-seated distress it is the number of coverages of each wheel on each aircraft over a given point of pavement that contributes to the deep-seated distress on or near that section of pavement. A determination of the current and forecast traffic at the airport will be made for traffic

on each segment of airfield pavement based on the Airport's traffic records and forecasts.

2. Analysis and Recommendations

Based on the surface distress surveys and the deep-seated distress analysis, forecast remaining pavement life is evaluated, time and type of strengthening or rehabilitation or reconstruction of each section is ascertained, different types of strengthening, overlaying, or reconstruction are analyzed, and cost benefit analyses are conducted. Recommended procedures for rehabilitation are then made for each section, including the time and type of repair and rehabilitation required. For rigid pavements it is important to determine the stress under load in the pavement section itself to determine the adequacy of the concrete section and estimated time of failure. It is also important to evaluate load-transfer of the joints and deep-seated distress using the Fatigue Analysis methodology. Once this is completed, analyses are conducted to determine the most cost-effective rehabilitation and the schedule that this rehabilitation work should be performed. The evaluations conducted will not only provide recommendations for strengthening and rehabilitating pavement sections but will also provide recommendations for maintenance work required to extend the life of the pavements and improve riding and operating conditions for the pavements.

3. Rehabilitation Costs

After the analysis and recommendations have been prepared for maintenance and rehabilitation, then preliminary cost analyses will be conducted to determine the estimated cost of the recommended maintenance and/or rehabilitation. These data can be used to establish maintenance and rehabilitation budgets for the airport.

Consultant – The consultant who will work on the project will be Brandley Engineering, Inc.

4. ***GEOGRAPHIC LOCATION***

The project included in this application will be at the Hanford Municipal Airport located in Hanford, California. The areas to be served will be the Hanford Municipal Airport and areas of Kings County that will be served by the airport improvements.

5. ***SPONSOR'S REPRESENTATIVES***

Robert Loogman, Airport Manager, Hanford Municipal Airport, City of Hanford, 954 E Hanford Armona Road, Hanford, CA 93230. Telephone: 559-585-2589, Email: rloogman@hanford.city

Mario Cifuentez, City Manager, City of Hanford, 319 N. Douty Street, Hanford, CA 93230, Telephone: 559-585-2516, Email: mcifuentez@hanford.city

6. ***ATTACHMENTS***

Also included in this application are the following attachments:

- Attachment 1 – Cost Estimates including Independent Fee Estimate (IFE)
- Attachment 2 – Exhibit A, Property Map
- Attachment 3 – Standard DOT Title VI Assurances
- Attachment 4 – System for Award Management (SAM)
- Attachment 5 – Sponsor Certifications

ATTACHMENT 1
COST ESTIMATES

HANFORD MUNICIPAL AIRPORT
HANFORD, KINGS COUNTY, CALIFORNIA

Cost Estimates of the projects are included in this attachment as follows:

Attachment 1A– Breakdown of Engineering Costs
Attachment 1B – Breakdown of Administration Costs
Attachment 1C - Summary of Project Costs

Also includes
Independent Fee Estimate (IFE)

HANFORD MUNICIPAL AIRPORT
CITY OF HANFORD, CALIFORNIA

2024 AIRPORT IMPROVEMENT PROGRAM

BREAKDOWN OF ENGINEERING COSTS

Pavement Maintenance Management Plan (PMMP)

Staff	Total Hours	Total Rate	Total Total
Pavement Structure Determination			
Mobilization			$ 3,000.00
Truck Drill - 3 Man Crew	16.0	$ 570.00	9,120.00
OT Truck Drill - 3 Man Crew	4.0	640.00	2,560.00
Per Diem - 3 Man Crew (Per Crew/Per Day)	3.5	700.00	2,450.00
Materials - Soil Tubes, concrete, dye			500.00
Senior Engineer (Field)	63.5	$ 180.00	11,430.00
Senior Engineer - OT (Field)	12.0	270.00	3,240.00
Per Diem	6.0	195.00	1,170.00
Mileage	910.0	0.655	596.05
Geotechnical Engineer (Lab)	16.0	300.00	4,800.00
Senior Engineer (Lab)	73.0	180.00	13,140.00
Laboratory Technician (Lab)	12.0	90.00	1,080.00
Total Pavement Structure Determination			$ 53,086.05
		Use	$ 53,000.00
Falling Weight Deflectometer Testing			
Mobilization (From Ventura, CA)	14.0	$ 337.00	$ 4,718.00
HWD Testing	1 Day	3,500.00	3,500.00
Equipment Set Up	1.5	110.00	165.00
Per Diem	2 Days	250.00	500.00
Photos - Lump Sum			500.00
Project Management	3.0	232.00	696.00
Principal Engineer	20.0	300.00	6,000.00
Mileage	500.0	0.655	327.50
Per Diem - Principal Engineer	2.0	195.00	390.00
Total Falling Weight Deflectometer Testing			$ 16,796.50
		Use	$ 17,000.00
Pavement Condition Index (PCI)			
Surface Condition Survey	8.0	$ 300.00	$ 2,400.00
Evaluation of Data	12.0	300.00	3,600.00
Total PCI			$ 6,000.00
Engineering Analysis and Report			
Principal Engineer	200.0	$ 300.00	$ 60,000
Senior Engineer	50.0	180.00	9,000
Junior Engineer	180.0	120.00	21,600
Project Administrator	24.0	100.00	2,400
Clerical	10.0	85.00	850
Total Engineering & Report			$ 93,850
		Use	$ 94,000
TOTAL			***$ 170,000***

HANFORD MUNICIPAL AIRPORT
CITY OF HANFORD, CALIFORNIA

2024 AIRPORT IMPROVEMENT PROGRAM

BREAKDOWN OF ADMINISTRATION COSTS

Pavement Maintenance Management Plan (PMMP)

City of Hanford Salaries	$ 4,000.00	
Expenses - Mailing, Printing, etc.	1,000.00	
Total Administration Costs	$ 5,000.00	
	Use	$ 5,000.00

HANFORD MUNICIPAL AIRPORT
CITY OF HANFORD, CALIFORNIA

2024 AIRPORT IMPROVEMENT PROGRAM

SUMMARY OF PROJECT COSTS

Pavement Maintenance Management Plan

Engineering Costs:		
Pavement Structure Determination	$	53,000
Falling Weight Deflectometer Testing		17,000
Pavement Condition Index (PCI)		6,000
Engineering Analysis and Report		94,000
Administration		5,000
Total Project Cost	$	175,000
F.A.A. Participation - 90%	$	157,500
Sponsor Participation	$	9,625
State Participation	$	7,875

HANFORD
CALIFORNIA

March 19, 2024

Mr. Reginald Dones
Federal Aviation Administration
Airports District Office

Subject: Hanford Municipal Airport
Hanford, Kings County, California
2024 Airport Improvement Program (AIP)
Professional Engineering Services – Pavement Maintenance Management Plan
Record of Negotiations

Dear Mr. Dones:

The City of Hanford proposes the preparation of a Pavement Maintenance Management Plan (PMMP) at Hanford Municipal Airport, Hanford, San Joaquin County, California, under the 2024 Airport Improvement Program (AIP) of the Federal Aviation Administration.

It is proposed to utilize the services of Brandley Engineering to provide engineering services for the preparation of this plan. The consulting firm of Brandley Engineering was selected, from consultants who submitted their qualifications and the City of Hanford entered into an agreement with Brandley Engineering to provide airport consulting services on November 8, 2023.

The City of Hanford and Brandley Engineering entered into negotiations for the engineering fees related to this project. A scope of work for the engineering design services for the subject project was prepared. A detailed independent fee estimate (IFE) was prepared by Independent Fee Estimates, LLC on March 1, 2024.

The scope of work and request for fee proposal were sent to Brandley Engineering on October 20, 2023. The consultant submitted their fee proposal for the work on December 13, 2023.

A comparison of the independent fee estimate and Brandley Engineering's fee is shown below.

	Brandley	IFE
Pavement Structure Determination	$53,000	$61,115.83
Falling Weight Deflectometer Testing	17,000	17,304.70
Pavement Condition Index (PCI)	6,000	22,559.06
Engineering Analysis and Report	94,000	52,822.74
Total	$170,000	$153,802.33

The Sponsor's Independent Fee Estimate was $153,802.33, which is 9.5% under the consultant's fee proposal. Since the IFE is within 10% of the consultant's fee proposal, the Sponsor considers

this reasonable and recommends accepting the consultant's fee in an amount not to exceed $170,000.

The final fee proposal is considered reasonable by the Sponsor. The City of Hanford and Brandley Engineering currently have a Special Services Agreement for engineering services at the Hanford Municipal Airport. A copy of the scope of work and consultant's fee proposal (Exhibit 1) and Sponsor's independent fee estimate (Exhibit 2) are attached to this record of negotiation and hereby submitted to the ADO for a reasonableness of cost determination.

The analysis was conducted in good faith to ensure the fees are fair and reasonable. The procedures outlined in AC 150/5100-14 have been followed.

Respectfully submitted,

Mario Cifuentez II
City Manager

March 1, 2024

Mr. Mario Cifuentez, II
City Manager
City of Hanford
319 N. Douty Street
Hanford, CA 93230

RE: Independent Fee Estimate
Hanford Municipal Airport
Pavement Maintenance Management Plan (PMMP)

Dear Mr. Cifuentez;

Please find attached the detailed Independent Fee Estimate (IFE) spreadsheets for your PMMP project at Hanford Municipal Airport. If you have any questions regarding the hours, fees, or line items, please contact me at your convenience to discuss those items.

The hours were estimated based upon by the "Scope of Work", an exhibit with the area of the project, and a blank Excel spreadsheet which were received from you via email on February 8, 2024. In addition, Ms. Melissa Brandley provided clarifications to both of us via email on February 12, 2024 regarding questions that I had relating to the Scope of Work.

If any of the general tasks need to be discussed via a teleconference, *Independent Fee Estimates, LLC* will be glad to look into those tasks until they are resolved.

The summary of costs on the project are as follows:

Task 1 – Pavement Structure Determination:	$ 61,115.83
Task 2 – Falling Weight Deflectometer Testing:	$ 17,304.70
Task 3 – Pavement Condition Index (PCI):	$ 22,559.06
Task 4 – Engineering Analysis and Report:	$ 52,822.74
Total for PMMP Services:	**$153,802.33**

It was our understanding that your consultant will be servicing this project from their office in Loomis, California, and that they will be on site during the Geotechnical Pavement Investigation and the Falling Weight Deflectometer Testing operations. We therefore calculated the hours for travel time and expenses associated with that location. In conjunction with that, we used the General Services Administration's mileage rate of $0.67/mile, a "travel day" per diem rate of $44.25/day, an "overnight" per diem rate of $59/day, and a lodging rate of $139/night to calculate travel expenses. The GSA rates are typically accepted for Federally-funded projects.

4246 N Portage Ave, Meridian Idaho 83646
Phone: (208) 371-5971

In addition, we verified that there are three hotel within three miles of the airport with a "good" rating, which can be booked for that rate, or less.

It should be noted that the spreadsheet task items did not quite match up with those in the Scope of Work. We therefore modified the spreadsheet by adding a few line items to provide a little additional detail.

This cost estimate was based on research for labor, overhead, and associated fees for completing this type of work for consulting firms in California. Please note that labor costs may differ from the estimate and actual costs should be reviewed and assessed for acceptability given local circumstances, credentials, and experience of assigned personnel.

After the Airport and the FAA have determined that this IFE is acceptable, and after any line items have been addressed to your satisfaction by *Independent Fee Estimates, LLC*, please submit this letter as an **invoice for $2,240** to your accounting department for services rendered.

Remember to include the fee for this IFE as an Administrative Expense in your first FAA Request For Reimbursement (RFR) as it is a 90%+ reimbursable expense.

Thank you for the opportunity to assist the City of Hanford with this project.

Sincerely,

J. D. Heithoff

J. D. Heithoff, P.E., C.M.
Senior Airport Engineer

HANFORD MUNICIPAL AIRPORT
CITY OF HANFORD, CALIFORNIA

INDEPENDENT FEE ESTIMATE

Pavement Maintenance Management Plan (PMMP)

Staff	Total			
	# of Units	Units	Rate	Total
Pavement Structure Determination				
Mobilization of Drilling Rig	1	LS	$2,470.00	$ 2,470.00
Borings - Per Scope - 18 holes x 15 feet deep	270	Feet	$24.00	$ 6,480.00
Drilling Per Diem	2	Days	$198.00	$ 396.00
Pavement Cores - Per Scope - 29 holes	29	EA	$130.00	$ 3,770.00
Core Person Per Diem	4	Days	$198.00	$ 792.00
Patch Holes as appropriate	47	EA	$115.00	$ 5,405.00
				$ -
Bulk Samples	18	EA	$45.00	$ 810.00
Atterberg Limits	8	EA	$130.00	$ 1,040.00
CBR (3-point)	1	EA	$575.00	$ 575.00
Grain Size (sieve only)	10	EA	$95.00	$ 950.00
Modified Proctor Compaction	3	EA	$190.00	$ 570.00
Unit Weight + Moisture Content	144	EA	$45.00	$ 6,480.00
Standard Proctor	3	EA	$255.00	$ 765.00
Geotech person	48	Hours	$165.00	$ 7,920.00
Mileage	600	Miles	$0.67	$ 402.00
Per Diem - Lodging + Food	4	Days	$198.00	$ 792.00
Utility Locate Verification	1	LS	$950.00	$ 950.00
Engineering Report - Staff Engineer	20	Hours	$165.00	$ 3,300.00
Engineering Report - Senior Engineer	6	Hours	$195.00	$ 1,170.00
Drafting	12	Hours	$130.00	$ 1,560.00
Admin	16	Hours	$90.00	$ 1,440.00
Misc supplies copies etc.	1	LS	$100.00	$ 100.00
Project Manager - scope & project mgmnt	10	Hours	$210.00	$ 2,100.00
Senior Engineer (4 Field Days)	49	Hours	$197.92	9,698.23
Senior Engineer - OT (Field)	0	Hours	$197.92	-
Per Diem	4	Days	$198.00	792.00
Mileage	580	Miles	$0.67	388.60
Total Pavement Structure Determination				**$ 61,115.83**

HANFORD MUNICIPAL AIRPORT
CITY OF HANFORD, CALIFORNIA

INDEPENDENT FEE ESTIMATE

Pavement Maintenance Management Plan (PMMP)

Falling Weight Deflectometer Testing	Engr	Sr Tech	Unit	
Rates:	$165.51	$130.27		
Mobilization (Ventura, CA)	8	8	Hours	$ 2,366.23
Equipment Mob (Ventura, CA)		1	LS	$ 1,015.00
NDT Equipment Usage		2	Days	$ 4,500.00
HWD Testing	12	12	Hours	$ 3,549.35
Equipment Set Up	1	1	Hours	$ 295.78
Photos	1	1	Hours	$ 295.78
Per Diem	1	1	Days	$ 396.00
Project Management	# of Units	Units	Rate	Total
Principal Engineer	16	Hours	$271.26	4,340.16
Mileage	520	Miles	$0.67	348.40
Per Diem - Principal Engineer	1	Days	$198.00	198.00
Total Falling Weight Deflectometer Testing				**$ 17,304.70**
Pavement Condition Index (PCI)	# of Units	Units	Rate	Total
Surface Condition Survey (includes network development, preparation, & mobilization)				
Principal Engineer	2	Hours	$271.26	$ 542.52
Engineer	36	Hours	$165.51	$ 5,958.22
CAD/GIS (Needed for mapping work)	40	Hours	$130.27	$ 5,210.92
Senior Tech	24	Hours	$130.27	$ 3,126.55
Admin	4	Hours	$74.69	$ 298.75
Evaluation of Data				
Principal Engineer	2	Hours	$271.26	$ 542.52
Senior Engineer	8	Hours	$197.92	$ 1,583.38
Engineer	32	Hours	$165.51	$ 5,296.19
Total PCI				**$ 22,559.06**
Engineering Analysis and Report	# of Units	Units	Rate	Total
Principal Engineer	24	Hours	$271.26	$ 6,510.24
Senior Engineer	72	Hours	$197.92	$ 14,250.46
Junior Engineer	164	Hours	$165.51	$ 27,142.98
CAD/GIS (Needed for mapping work)	24	Hours	$130.27	$ 3,126.55
Clerical	24	Hours	$74.69	$ 1,792.51
Total Engineering Analysis & Report				**$ 52,822.74**
Total for ALL PMMP Services:				***$ 153,802.33***

ATTACHMENT 2
EXHIBIT "A", PROPERTY MAP

HANFORD MUNICIPAL AIRPORT
HANFORD, KINGS COUNTY, CALIFORNIA

AVIGATION EASEMENT INSET

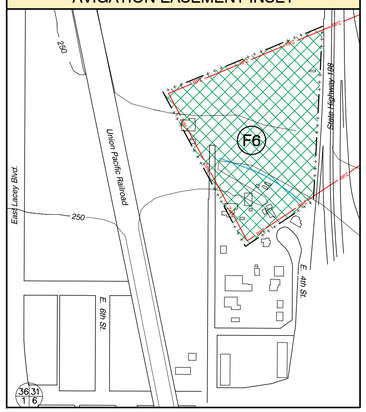
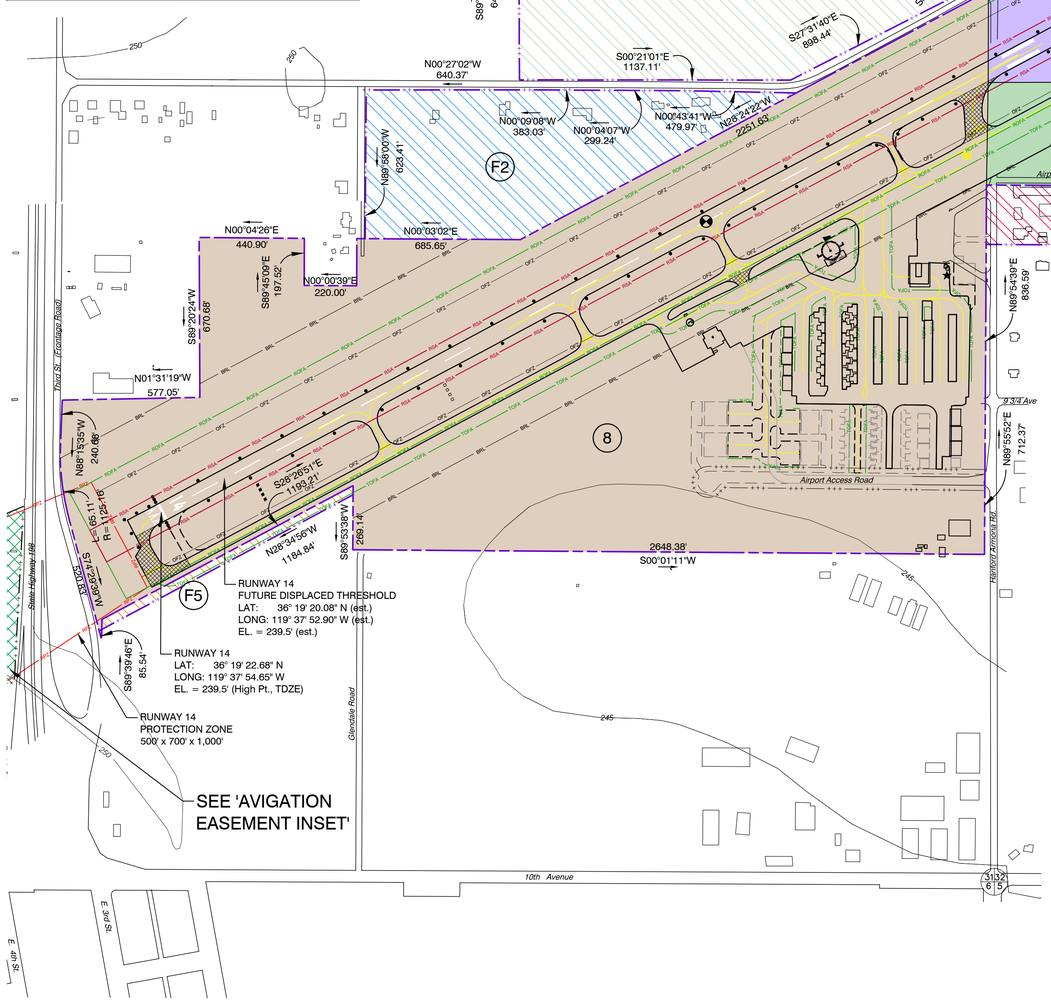


EXHIBIT 'A' NOTES

- Airport property boundary and data source: City of Hanford. Property line retained from previous ALP. Airport boundary and individual parcels are not surveyed and therefore should not be considered a precise legal description. Best available data used.
- Total existing airport property equals ±297 acres. Total future airport property equals ±480 acres with 8.4 acre avigation easement.

(a) Acreage for individual parcels based on digital line work.

(b) These parcels were acquired as part of the original development of the airport. However, City records are incomplete. This data is not available. The title research needed to provide this data is beyond the scope of this ALP update.



EXISTING AIRPORT PARCEL DATA

PARCEL ID #	ASSESSORS PARCEL NUMBER	ACRES (a)	DATE ACQUIRED	TYPE OF INTEREST	FAA GRANT NUMBER	RECORDING INFORMATION	GRANTOR
1	016-160-033	1.7	8/27/2001	Fee Simple	09	2002R0116783	Brady & Jeanne High
2	016-160-034	1.1	10/5/2001	Fee Simple	09	2002R0119778	Allen Alves
3	016-160-032	1.3	1/9/2002	Fee Simple	10	2003R0200527	Frank & Olga DeBrum
4	016-160-020, 016-160-047, 016-047-048	119.8	12/4/1996	Fee Simple	05	1997R9625075	Barrie B Costa Trust
5	016-160-019, 016-160-043	6.9	1/30/1998	Fee Simple	06	1999R9801819, 1999R9801820	Laurie S Lopez, Saturnino & Rose Jiminez
6				Fee Simple	06		
7	016-160-049, 016-160-050	36.2	12/19/2000	Fee Simple	09	2001R0022992	Ralph & Sara Alcala Fam. Trust
8	016-032-013, 016-032-050, 016-032-022, 016-041-021, 016-041-025,	130.5	N/A (b)	Fee Simple	Purchased with City Funds	N/A (b)	N/A (b)

FUTURE AIRPORT PARCELS

PARCEL ID #	ACRES	TYPE OF INTEREST (FUTURE)
F1	28.1	Fee Simple
F2	17.7	Fee Simple
F3	4.0	Fee Simple
F4	132.2	Fee Simple
F5	0.9	Fee Simple
F6	8.4	Avigation Easement

NPIAS/FEDERAL AGREEMENTS IN PLACE

1. National Plan of Integrated Airport Systems (NPIAS)
2. Grant agreements under FAAP/ADAP/AIP
3. Assurance pursuant to Title VI, Civil Rights Act of 1964

DRAWING LEGEND

	EXISTING	FUTURE
ACTIVE AIRFIELD PAVEMENT		
PAVEMENT TO BE REMOVED	N/A	
AIRPORT PROPERTY		
AVIGATION EASEMENT	N/A	
INTERNAL LEASE	N/A	
AIRPORT REFERENCE POINT		No Change
RUNWAY SAFETY AREA (RSA)	RSA	No Change
RUNWAY PROTECTION ZONE (RPZ)	RPZ	No Change
RUNWAY OBJECT FREE AREA (ROFA)	ROFA	No Change
OBSTACLE FREE ZONE (OFZ)	OFZ	No Change
BUILDING RESTRICTION LINE (BRL)	BRL	No Change
TAXIWAY / LANE MARKING		
RUNWAY LIGHTS (EDGE / THRESHOLD / REIL)	/ /	
BEACON		No Change
PRECISION APPROACH PATH INDICATOR (PAPI)		
WIND CONE		
SEGMENTED CIRCLE		
AUTOMATED SURFACE OBSERVING SYSTEM (ASOS)		No Change
BUILDING - ON AIRPORT		
BUILDING - OFF AIRPORT		No Change
PUBLIC ROAD		
AIRPORT SERVICE ROAD		No Change
TERRAIN CONTOUR	250	No Change
SECTION CORNER MARKER		No Change

MAGNETIC
TRUE

MAGNETIC DECLINATION 13° 59' E
ANNUAL CHANGE: 0°5' WEST
MARCH 2015

300
0 FEET 600

NO.	REVISION	SPONSOR	DATE
5	13A Update, Fuel island relocation.	Mead & Hunt	Jul. 2016
4	Future hangar locations	Mead & Hunt	Oct. 2009
3	Taxiway A Realignment	Mead & Hunt	Nov. 2005
2	Lat./Long correction, Property acquisition, Pavement removal		May 2001
1	Runway extension construction		Dec. 2000

HANFORD MUNICIPAL AIRPORT
HANFORD, CALIFORNIA

EXHIBIT 'A' PROPERTY MAP

Mead & Hunt
133 Aviation Boulevard, Suite 100
Santa Rosa, California 95403
(707) 526-5010
Fax (707) 526-9721
www.meadhunt.com

DESIGN:	BM	DRAWN:	TE/BR/BM	DATE:	July 2016	SHEET	8 OF 8

The preparation of this document may have been supported, in part, through the Airport Improvement Program financial assistance from the Federal Aviation Administration (Project Number Unassigned) as provided under Title 49 U.S.C., Section 47104. The contents do not in any way constitute a commitment on the part of the United States to participate in any development depicted therein nor does it indicate that the proposed development is environmentally acceptable or would have justification in accordance with appropriate public laws.

C:\Users\870tme\appdata\local\temp\AcPublish_9108\HJO.ALP.ExhibitA.2015.dwg Nov 09, 2016 – 10:06am

ATTACHMENT 3
STANDARD DOT TITLE VI ASSURANCES

HANFORD MUNICIPAL AIRPORT
HANFORD, KINGS COUNTY, CALIFORNIA

STANDARD DOT TITLE VI ASSURANCES

The City of Hanford (hereinafter referred to as the Sponsor) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and all requirements imposed by 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, the Sponsor agrees concerning this grant that:

1. Each "program" and "facility" (as defined in Sections 21.23(e) and 21.23(b)) will be conducted or operated in compliance with all requirements of the Regulations.

2. It will insert the clauses of Attachment 1 of this assurance in every contract subject to the Act and the Regulations.

3. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

4. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.

5. It will include the appropriate clauses set forth in Attachment 2 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sponsor with other parties:

(a) for the subsequent transfer of real property acquired or improved with Federal financial assistance under this Project; and

(b) for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.

6. This assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the sponsor or any transferee for the longer of the following periods:

(a) The period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

(b) The period during which the Sponsor retains ownership or possession of the property.

7. It will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other sponsors, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.

8. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this Project and is binding on its contractors, the sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

DATED 3-22-24

CITY OF HANFORD
(Sponsor)

By Robert Loogman
Robert Loogman, Airport Manager

CONTRACTOR CONTRACTUAL REQUIREMENTS

ATTACHMENT 1

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations. The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance. In the event of the contractor's non-compliance with the nondiscrimination provisions of this contract, the sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

   a. Withholding of payments to the contractor under the contract until the contractor complies, and/or

   b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions. The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Sponsor to enter into such litigation to protect the interests of the sponsor and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

CLAUSES FOR DEEDS, LICENSES, LEASES, PERMITS OR SIMILAR INSTRUMENTS

ATTACHMENT 2

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Sponsor pursuant to the provisions of Assurances 5(a) and 5(b).

1. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

2. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

ATTACHMENT 4
SYSTEM FOR AWARD MANAGEMENT (SAM)

HANFORD MUNICIPAL AIRPORT
HANFORD, KINGS COUNTY, CALIFORNIA

SAM.GOV

CITY OF HANFORD

Unique Entity ID	CAGE / NCAGE	Purpose of Registration
DJUXR18MN678	**5HPF3**	**All Awards**
Registration Status	Expiration Date	
Active Registration	**May 30, 2024**	
Physical Address	Mailing Address	
319 N Douty ST **Hanford, California 93230-3951** **United States**	**317 N Douty ST** **Hanford, California 93230-3951** **United States**	

Business Information

Doing Business as	Division Name	Division Number
(blank)	**City Of Hanford**	**(blank)**
Congressional District	State / Country of Incorporation	URL
California 22	**(blank) / (blank)**	**http://www.cityofhanfordca.com**

Registration Dates

Activation Date	Submission Date	Initial Registration Date
Jun 2, 2023	**May 31, 2023**	**Jun 8, 2009**

Entity Dates

Entity Start Date	Fiscal Year End Close Date
Jan 1, 1898	**Jun 30**

Immediate Owner

CAGE	Legal Business Name
(blank)	**(blank)**

Highest Level Owner

CAGE	Legal Business Name
(blank)	**(blank)**

Executive Compensation

Registrants in the System for Award Management (SAM) respond to the Executive Compensation questions in accordance with Section 6202 of P.L. 110-252, amending the Federal Funding Accountability and Transparency Act (P.L. 109-282). This information is not displayed in SAM. It is sent to USAspending.gov for display in association with an eligible award. Maintaining an active registration in SAM demonstrates the registrant responded to the questions.

Proceedings Questions

Registrants in the System for Award Management (SAM.gov) respond to proceedings questions in accordance with FAR 52.209-7, FAR 52.209-9, or 2. C.F.R. 200 Appendix XII. Their responses are displayed in the responsibility/qualification section of SAM.gov. Maintaining an active registration in SAM.gov demonstrates the registrant responded to the proceedings questions.

Exclusion Summary

Active Exclusions Records?

No

SAM Search Authorization

I authorize my entity's non-sensitive information to be displayed in SAM public search results:

Yes

Entity Types

Business Types

Entity Structure	Entity Type	Organization Factors
U.S. Government Entity	**US Local Government**	**(blank)**
Profit Structure		
(blank)		

Socio-Economic Types

Check the registrant's Reps & Certs, if present, under FAR 52.212-3 or FAR 52.219-1 to determine if the entity is an SBA-certified HUBZone small business concern. Additional small business information may be found in the SBA's Dynamic Small Business Search if the entity completed the SBA supplemental pages during registration.

Government Types

U.S. Local Government
City

Other Government Entities

Housing Authorities Public/Tribal
Planning Commission

Financial Information

Accepts Credit Card Payments	Debt Subject To Offset
No	**Yes**

EFT Indicator	CAGE Code
0000	**5HPF3**

Points of Contact

Electronic Business

SANDRA LERMA

317 N Douty ST
Hanford, California 93230
United States

Erik Brotemarkle, Battalion Chief

350 West Grangeville BLVD.
Hanford, California 93230
United States

Government Business

Mario Cifuentez II, City Manager

319 N. Douty ST
Hanford, California 93230
United States

SANDRA LERMA

317 N Douty ST
Hanford, California 93230
United States

Past Performance

ERIK BROTEMARKLE, BATTALION CHIEF

350 W. Grangeville BLVD
Hanford , California 93230
United States

BARBARA MARTY

317 N Douty ST
Hanford, California 93230
United States

Service Classifications

NAICS Codes

Primary	NAICS Codes	NAICS Title
Yes	**921110**	**Executive Offices**

Disaster Response

This entity does not appear in the disaster response registry.

ATTACHMENT 5
SPONSOR CERTIFICATIONS

HANFORD MUNICIPAL AIRPORT
HANFORD, KINGS COUNTY, CALIFORNIA

This attachment consists of the following Sponsor Certifications:
Drug-Free Workplace
Selection of Consultants
Potential Conflicts of Interests

U.S. Department
of Transportation
Federal Aviation Administration

FAA Form 5100-130, Drug-Free Workplace – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Drug-Free Workplace
Airport Improvement Program Sponsor Certification

Sponsor: City of Hanford

Airport: Hanford Municipal Airport

Project Number: AIP No. 3-06-0098-

Description of Work: Pavement Maintenance Management Plan (PMMP)

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

   ☒ Yes ☐ No ☐ N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:

   a. The dangers of drug abuse in the workplace;

   b. The sponsor's policy of maintaining a drug-free workplace;

   c. Any available drug counseling, rehabilitation, and employee assistance programs; and

   d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

   ☒ Yes ☐ No ☐ N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

   ☒ Yes ☐ No ☐ N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

   a. Abide by the terms of the statement; and

   b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

   ☒ Yes ☐ No ☐ N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

   ☒ Yes ☐ No ☐ N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

   a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and

   b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

   ☒ Yes ☐ No ☐ N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

   ☒ Yes ☐ No ☐ N/A

Site(s) of performance of work (2 CFR § 182.230):

Location 1
Name of Location: Hanford Municipal Airport
Address: 954 E Hanford Armona Road, Hanford, CA 93230

Location 2 (if applicable)
Name of Location: City of Hanford Offices
Address: 319 N. Douty Street, Hanford, CA 93230

Location 3 (if applicable)
Name of Location:
Address:

Attach documentation clarifying any above item marked with a “No” response.

Sponsor’s Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked “no” is correct and complete.

Executed on this 22 day of March , 2024 .

Name of Sponsor: City of Hanford

Name of Sponsor’s Authorized Official: Robert Loogman

Title of Sponsor’s Authorized Official: Airport Manager

Signature of Sponsor’s Authorized Official: Robert Loogman

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Submit by Email

U.S. Department
of Transportation
Federal Aviation Administration

FAA Form 5100-134, Selection of Consultants – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Selection of Consultants
Airport Improvement Program Sponsor Certification

Sponsor: City of Hanford

Airport: Hanford Municipal Airport

Project Number: AIP No. 3-06-0098-

Description of Work: Pavement Maintenance Management Plan (PMMP)

Application
49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements
Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).

   ☒ Yes ☐ No ☐ N/A

2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).

   ☒ Yes ☐ No ☐ N/A

3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).

   ☒ Yes ☐ No ☐ N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).

   ☒ Yes ☐ No ☐ N/A

5. Sponsor has publicized or will publicize a RFQ that:

   a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and

   b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).

   ☒ Yes ☐ No ☐ N/A

6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).

   ☒ Yes ☐ No ☐ N/A

7. Sponsor has verified or will verify that agreements exceeding $25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR §180.300).

   ☒ Yes ☐ No ☐ N/A

8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:

   a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and

   b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).

   ☒ Yes ☐ No ☐ N/A

9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).

   ☒ Yes ☐ No ☐ N/A

10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).

    ☒ Yes ☐ No ☐ N/A

11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR §200.318(i)).

    ☒ Yes ☐ No ☐ N/A

12. Sponsor has incorporated or will incorporate mandatory contact provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)

    ☒ Yes ☐ No ☐ N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:
    a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
    b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
    c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j)).

    ☒ Yes ☐ No ☐ N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

    ☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this 22 day of March , 2024 .

Name of Sponsor: City of Hanford

Name of Sponsor's Authorized Official: Robert Loogman

Title of Sponsor's Authorized Official: Airport Manager

Signature of Sponsor's Authorized Official: Robert Loogman

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Submit by Email

U.S. Department
of Transportation
Federal Aviation Administration

FAA Form 5100-135, Certification and Disclosure Regarding Potential Conflicts of Interest – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification

Sponsor: City of Hanford

Airport: Hanford Municipal Airport

Project Number: AIP No. 3-06-0098-

Description of Work: Pavement Maintenance Management Plan (PMMP)

Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

a) The employee, officer or agent,

b) Any member of his immediate family,

c) His or her partner, or

d) An organization which employs, or is about to employ, any of the above.

Selecting “Yes” represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting “No” represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If “No” is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor’s and sub-recipient’s officers, employees, or agents, or by contractors or their agents.

   ☒ Yes ☐ No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

   ☒ Yes ☐ No

3. The sponsor or sub-recipient certifies that is has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

   ☒ Yes ☐ No

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 22 day of March , 2024 .

Name of Sponsor: City of Hanford

Name of Sponsor's Authorized Official: Robert Loogman

Title of Sponsor's Authorized Official: Airport Manager

Signature of Sponsor's Authorized Official: Robert Loogman

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Submit by Email

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Approval of a Change Order to increase the fiscal year 2023/2024 Purchase Order limit with CleanCut Landscape by $17,000.50 to provide landscaping services for Landscape Assessment Districts (LAD) for a total contract amount of $60,365.02.

RECOMMENDATION:

Recommendation: Staff recommends that the City Council, by motion, approve a change order to increase the fiscal year 2023/2024 Purchase Order limit with CleanCut Landscape by $17,000.50 to provide landscaping services for Landscape Assessment Districts (LAD) for a total contract amount of $60,365.02.

BACKGROUND:

The City of Hanford established Landscape Assessment Districts (LADs) in accordance with the Landscaping and Lighting Act of 1972. Since 1990 the City of Hanford has established a total of 43 separate districts. Each of those districts has landscaping maintenance needs, and that service has been contracted to Clean Cut Landscape. The districts have been separated into four (4) geographic quadrants, spread throughout the town. As community development increases, new districts are serviced and added to the LAD's Quadrant.

The change order is for Quadrant 4 with an original purchase order amount of $43,364.52. The change order request will increase the Quadrant 4 Purchase Order to $60,365.02. The increase is due to the addition of new LAD’s into the quadrant that are being serviced by Clean Cut Landscaping. Purchases over $50,000 require City Council approval.

After communicating with our department administration, city clerk, communication with the vendor, and reviewing the files in the system, we were unable to locate that agreement. The contractor stated that they cannot locate that agreement at this time. The City of Hanford awarded all Quadrants to Clean Cut Landscaping, for a month-to-month contract extension, this is to have occurred in 2021, meeting minutes have been provided in attachments to reflect the action.

A service agreement with Clean Cut Landscape Management was recently approved by Council on December 5th, 2023, the agreement will take effect July 1, 2024 and reflect the new LAD additions and bulk purchase order amounts for each Quadrant.

FISCAL IMPACT:

This change order will increase the LAD Quadrant 4 purchase order by $17,000.50 for a total of $60365.02, which is funded by the LAD assessments collected each year. The funding for the

landscape services, and supporting utilities, comes from each of the individual district's assessments collected each year as part of the property taxes within the district.

If approved, the change order will cover the expenses for fiscal year 2023/2024. A new service contract will take effect July 1, 2024 that was approved separately by City Council in December 2023.

ATTACHMENTS:

1. PURCHASE ORDER FOR QUADRANT 4. CLEAN CUT.
2. Agenda - Tuesday January 19 2021 (002) (1)
3. 2021-01-19 City Council - Full Minutes-1712
4. AGREEMENT FOR SERVICES CLEAN CUT 2024 AGREEMENT

Purchase Order

Fiscal Year 2024

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # 22400546

Delivery must be made within doors of specified destination.

BILL TO

CITY OF HANFORD
Accounts Payable
315 N. Douty St
Hanford, CA 93230
Email: billing@cityofhanfordca.com

VENDOR

CLEAN CUT LANDSCAPE MANAGEMENT INC
1865 HERNDON AVE #K636
CLOVIS, CA 93611

SHIP TO

CITY OF HANFORD-PARKS & COMM
321 N DOUTY ST #B
HANFORD, CA 93230
Phone: 559-585-2525

Vendor Phone Number	Vendor Fax Number	Requisition Number	Delivery Reference
		12400672	

Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location
03/25/2024	104524			PARKS & REC-PARKS

Item#	Description/PartNo	QTY	UOM	Unit Price	Extended Price
	BPO/LAD MAINTENANCE QUADRANT #4 The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading				
1	0243 HYDE PARK GL Account: 0243 - 755000 $106.56	1.0	EA	$106.56	$106.56
2	0244 SIERRA VISTA GL Account: 0244 - 755000 $569.76	1.0	EA	$569.76	$569.76
3	0248 WALNUT FOREST GL Account: 0248 - 755000 $1,226.34	1.0	EA	$1,226.34	$1,226.34
4	0248 WALNUT FOREST SLOUGH ST FRONTAGE GL Account: 0248 - 755000 $282.78	1.0	EA	$282.78	$282.78
5	0252 ROSEWOOD ESTATES GL Account: 0252 - 755000 $268.68	1.0	EA	$268.68	$268.68
6	0254 COUNTRY CROSSING GL Account: 0254 - 755000 $3,862.14	1.0	EA	$3,862.14	$3,862.14
7	0256 MT VIEW ESTATES GL Account: 0256 - 755000 $2,747.70	1.0	EA	$2,747.70	$2,747.70
8	0261 ASHTON PARK	1.0	EA	$5,334.00	$5,334.00

CONTINUED ON NEXT PAGE

By: _____
City Manager

VENDOR COPY

Purchase Order

Fiscal Year 2024

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # 22400546

Delivery must be made within doors of specified destination.

BILL TO

CITY OF HANFORD
Accounts Payable
315 N. Douty St
Hanford, CA 93230
Email: billing@cityofhanfordca.com

VENDOR

CLEAN CUT LANDSCAPE MANAGEMENT INC
1865 HERNDON AVE #K636
CLOVIS, CA 93611

SHIP TO

CITY OF HANFORD-PARKS & COMM
321 N DOUTY ST #B
HANFORD, CA 93230
Phone: 559-585-2525

Vendor Phone Number	Vendor Fax Number	Requisition Number	Delivery Reference
		12400672	

Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location
03/25/2024	104524			PARKS & REC-PARKS

Item#	Description/PartNo		QTY	UOM	Unit Price	Extended Price
	GL Account: 0261 - 755000	$5,334.00				
9	0263 SIDONIA I		1.0	EA	$1,107.06	$1,107.06
	GL Account: 0263 - 755000	$1,107.06				
10	0263 SIDONIA II		1.0	EA	$1,013.52	$1,013.52
	GL Account: 0263 - 755000	$1,013.52				
11	0271 INDEPENDENCE I & II		1.0	EA	$4,461.66	$4,461.66
	GL Account: 0271 - 755000	$4,461.66				
12	0273 INDEPENDENCE III & IV		1.0	EA	$9,325.32	$9,325.32
	GL Account: 0273 - 755000	$9,325.32				
13	0272 GREENBRIER #876		1.0	EA	$1,081.50	$1,081.50
	GL Account: 0272 - 755000	$1,081.50				
14	0277 MYNDERUP		1.0	EA	$2,317.50	$2,317.50
	GL Account: 0277 - 755000	$2,317.50				
15	0272 ADDT'N HIDDEN OAKS		1.0	EA	$9,660.00	$9,660.00
	GL Account: 0272 - 755000	$9,660.00				
	********** GL SUMMARY **********					
	0243 - 755000	$106.56				
	0244 - 755000	$569.76				

CONTINUED ON NEXT PAGE

By: _____
City Manager

VENDOR COPY

Purchase Order

Fiscal Year 2024

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # 22400546

Delivery must be made within doors of specified destination.

BILL TO

CITY OF HANFORD
Accounts Payable
315 N. Douty St
Hanford, CA 93230
Email: billing@cityofhanfordca.com

VENDOR

CLEAN CUT LANDSCAPE MANAGEMENT INC
1865 HERNDON AVE #K636
CLOVIS, CA 93611

SHIP TO

CITY OF HANFORD-PARKS & COMM
321 N DOUTY ST #B
HANFORD, CA 93230
Phone: 559-585-2525

Vendor Phone Number	Vendor Fax Number	Requisition Number	Delivery Reference
		12400672	

Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location
03/25/2024	104524			PARKS & REC-PARKS

Item#	Description/PartNo		QTY	UOM	Unit Price	Extended Price
	0248 - 755000	$1,509.12				
	0252 - 755000	$268.68				
	0254 - 755000	$3,862.14				
	0256 - 755000	$2,747.70				
	0261 - 755000	$5,334.00				
	0263 - 755000	$2,120.58				
	0271 - 755000	$4,461.66				
	0272 - 755000	$10,741.50				
	0273 - 755000	$9,325.32				
	0277 - 755000	$2,317.50				

By: _____
City Manager

VENDOR COPY

Total Ext. Price	$43,364.52
PO Total	**$43,364.52**

AGENDA
STAFF REPORT

MEETING DATE: 1/19/2021	**AGENDA SECTION:** B

SUBJECT:
Parks and Community Services: Rejection of all bids for Citywide Maintenance of Landscape Assessment Districts, Approval of a month-to-month contract extension with Clean Cut Landscaping to continue landscape maintenance within Quadrants 1-4, and approval of a Sole Source Contract with Willdan Financial for services to analyze and make recommendations for LAD's.

RECOMMENDATION:

That the City Council, by motion, take the following actions:

1. Reject the bids from all vendors for the maintenance of the 39 Landscape Assessment Districts for calendar years 2021 and 2022.
2. Approve the Extension of the current contract with Clean Cut Landscape Maintenance, for the same contract prices, on a month to month basis for the maintenance of 39 Landscape Assessment Districts.
3. Authorize the City Manager to execute a sole-source contract with Willdan Financial Service, in an amount not to exceed $60,000 for the reasons stated below and appropriate funding.

BACKGROUND:

The City of Hanford, under the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act") and in compliance with the substantive and procedural requirements of the California State Constitution, Article XIIID ("California Constitution") annually levies and collects special assessments for the City's maintenance assessment district. Annually, the City Engineer prepares a report that details the assessment amount and level of service for each district.

The purpose of this assessment is to provide funding for the maintenance of the common landscaping (mowing, planting, replanting of plants and trees, sprinkler maintenance etc.) within each district. Currently we have a total of 39 LADs within the City limits organized into four quadrants (See attached LAD Map).

In addition, each district is assigned a level of service, which defines the frequency of maintenance, as defined below:

LEVEL	SERVICE
A	One-week interval
B	One-week interval for eight months (Mar.-Oct.); Two-week interval (Nov.- Feb.)
C	Two-week interval
D	Two-week interval for eight months (Mar.- Oct.); One a month interval (Nov.- Feb.)
E	Once a month

Beginning in 1990, the Landscape Assessment Districts (LADs) was established. Over the past 31 years, many LADs have been added. Of the 39 LADs, 23 have a Standard Annual Consumer Price Index (CPI) escalator built into the assessment, which allows the City to increase the assessment in accordance with California Government Code section 53739(b)(1) to have sufficient funding to maintain their current level of service. Sixteen LADs do not have a CPI escalator integrated into their annual assessment.

The City of Hanford currently has 16 LADs operating at a deficit, ranging from $45.62 to $27,625.11 each; with a combined total deficit of $60,931.41. Past attempts to ballot these districts to increase the assessment amount or include a CPI have been unsuccessful.

As a solution, staff has contacted Willdan Financial Services to assist the City in creating a strategic plan to solve this longstanding and ongoing problem. Willdan has over 55 years of experience in serving local government, including 90% of California cities and counties. Willdan is currently conducting a pre-assessment of the LADs and will provide a proposal to:

- Conduct an analysis of the Landscape Assessment Districts
- Re-engineer the districts
- Provide Geographic Information System (GIS) mapping of each district
- Develop detailed balloting strategies for the underfunded LADs
- Develop a capital improvement reserve for each district to fund unforeseen incidents

The action to extend the current contract will allow staff the time needed conduct a complete and thorough analysis of the LADs and proactively move forward. Staff will return to Council to present a draft strategic plan to address the issues detailed above once it is completed and Council will have the opportunity to provide further direction at that time.

FISCAL IMPACT:
An appropriation is required in the amount of $60,000, to be funded by the Landscape Assessment Districts.

ATTACHMENTS:
LAD Map

The City of Hanford
CALIFORNIA

CITY COUNCIL MEETING
MINUTES
January 19, 2021 7:00 PM
Hanford Civic Auditorium
400 N. Douty St

4:30 PM CALL TO ORDER STUDY AND CLOSED SESSION :

Mayor Ramirez called the Study and Closed Session to order at 4:31 p.m.

ROLL CALL BY THE CITY CLERK :

Present: Francisco Ramirez, Kalish Morrow, Diane Sharp, John Draxler, Art Brieno

PUBLIC COMMENT :

This is the time for citizens to comment on subject matters not on the agenda within the jurisdiction of the Hanford City Council. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed.

*A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

None.

STUDY SESSION:

A. FIRE: Presentation of the CA-OES Engine for Council viewing

Fire Chief Steve Pendergrass presented the CA OES Fire Engine for the Council to view and tour.

B. Presentation from the Kings County Association of Government (KCAG) regarding current projects and the Commission's activities

Terri King, Executive Director of Kings County Association of Government (KCAG) provided an overview of the organization. She discussed the history of the agency, commission activities, funding sources, projects, and budgets. Ms. King also discussed the preparation of the 20-year Regional Transportation Plan, other major functions and services that KCAG provides to other agencies and the City of Hanford. With no further discussion, Mayor Ramirez thanked Ms. King for the presentation.

C. Finance: Presentation regarding the City of Hanford's California Public Employee Retirement System (CalPERS) pension obligations and projected cost.

Interim Finance Director Eric Frost discussed CalPERS pension obligations, the projected cost and an overview of the city's pension plans. Dir. Frost answered questions from the Council. Mayor Ramirez thanked Dir. Frost for his presentation and adjourned to closed session 5:54 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. Conference with Legal Counsel-Real Property Negotiation (GC 54956.8)

Property: 109 E. Eighth
Agency Negotiators: Mario Cifuentez, Ty Mizote
Negotiating Party: Carnegie Museum of Kings County

CLOSED SESSION ACTION REPORT:

No action reported.

CALL TO ORDER REGULAR SESSION:

Mayor Ramirez called the meeting to order at 7:00 p.m.

ROLL CALL:

Attendee Name	Title	Status	Arrived
John Draxler	Council Member	Present	4:12 PM
Diane Sharp	Vice Mayor	Present	4:09 PM
Art Brieno	Council Member	Present	4:10 PM
Kalish Morrow	Council Member	Present	4:12 PM
Francisco Ramirez	Mayor	Present	4:08 PM

IX. INVOCATION:

The invocation was led by Pastor Mike Weatherly.

FLAG SALUTE:

Vice Mayor Sharp led the Flag salute.

STAFF COMMUNICATIONS:

City Manager Mario Cifuentez provided a COVID-19 vaccine update. He recognized the Chamber of Commerce as a good resource for the recent new business inquires that the City has received. He also announced the upcoming date for the City Councils Goals and Objectives meeting.

COUNCIL REPORTS/COMMENTS:

Vice Mayor Sharp attended orientation meetings with the city's department heads, she also attended online training and several community events.

Council Member Brieno had nothing to report.

Council Member Morrow attended orientations with the city's department heads and the grand opening for Caliva.

Council Member Draxler attended the grand opening for Caliva. He also participated in Griswold LaSalle's on-line training.

Mayor Ramirez attended the grand opening for Caliva, and he announced the monthly Hanford Chamber of Commerce event that he will be participating in.

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters not on the agenda within the jurisdiction of the Hanford City Council. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed.

*A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

Bob Ramos congratulated the new Council Members and Mayor Ramirez. He also commented on the warrant register.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Council Member Brieno requested to pull Item E *[Local Early Action Planning (LEAP) Grant for Housing]*.

Motion to approve the Consent Calendar except for the items pulled for separate consideration.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Brieno, Council Member
SECONDER:	John Draxler, Council Member
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

A. PROCEDURAL WAIVER: Waive reading in full of resolution and ordinances and approval and adoption of same by reading title only.

B. City Clerk: Approval of the Minutes of the October 20, 2020 Meeting

C. City Clerk: Approval of the Minutes of the November 3, 2020 Meeting

D. City Clerk: Denial of a claim for damages and authorization for the City Clerk to send out notification of such to Jaime Cleaves

E. Police: Second Reading of Ordinance No. 20-15 approving the addition to Section 12.20 to Title 12 of the Municipal Code, thereby adding Rules for City Parks and City Properties to govern acceptable use of these properties by the public.

F. Public Works: Approval of a Notice of Completion for the Well 41/38 Improvement Project, and authorization for the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.

G. Finance: Acceptance of the Monthly Investment Transaction Report for December 2020

Items pulled from consent:

1. Community Development: Resolution 21-02-R supporting an Application for Funding from the State of California Department of Housing and Community Development (HCD) Local Early Action Planning (LEAP) Program.

[Item E] Pulled by Council Member Brieno.

Senior Planner Gabrielle Myers discussed the funding application for a non-competitive grant to assist with planning initiatives and projects.

Motion to adopt Resolution 21-02-R.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Brieno, Council Member
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

GENERAL BUSINESS:

A. Parks and Community Services: Award of a contract to Bush Engineering, Inc., of Hanford, CA for the Base Bid amount of $171,152.00 for the Civic Park Playground Site Improvements and Approval of an additional appropriation of $53,909.00 from the Parks Impact Fund and an additional $47,717.00 from the Accumulated Capital Outlay Fund to fully fund the project

Parks and Community Services Director Brad Albert presented the Civic Park Playground Site Improvements and clarified that the presentation is for the improvements for the approved playground structure at Civic Park. He also provided the Council with an updated budget. Vice Mayor Sharp would like to visit the area of the park before deciding. Council Member Brieno questioned the budget and he expressed his concerns regarding the new budget. Council Member Brieno recommended that the item be tabled or rejected. He also expressed his concerns regarding existing parks that need improvements. Council Member Morrow agreed with Council Member Brieno. Council Member Draxler commented on the bid process, and he expressed concerns regarding rejecting the bid. Public Works Director John Doyel discussed the background of the project and explained that through the process, the budget has significantly increased due to the specific design of the playground. Dir. Doyel also shared his insight into similar projects. With no further discussion, Mayor Ramirez invited a motion for the Council.

Motion to deny the award of contract was introduced by Council Member Brieno. Motion not seconded; motion failed.

Motion to approve the recommendation as presented was introduced by Council Member Draxler. Motion not seconded; motion failed.

Motion to table the item until February 2, 2021, was introduced by Vice Mayor Sharp. Motion seconded by Council Member Morrow.

RESULT:	**TABLED [4 TO 1]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Kalish Morrow, Council Member
AYES:	Sharp, Brieno, Morrow, Ramirez
NAYS:	Draxler

B. Parks and Community Services: Rejection of all bids for Citywide Maintenance of Landscape Assessment Districts, Approval of a month-to-month contract extension with Clean Cut Landscaping to continue landscape maintenance within Quadrants 1-4, and approval of a Sole Source Contract with Willdan Financial for services to analyze and make recommendations for LAD's.

Parks and Community Services Director Brad Albert Presented the Land Assessment District strategy with 39 Landscape Assessment Districts throughout the City limits, that are organized into four quadrants. Dir. Albert discussed the phases, the cost, and benefits of the proposed services by Willdan Financial Services. The Council discussed the cost of living in the districts and the fund deficit. Vice Mayor Sharp and Council Member Draxler spoke in favor of the presented recommendations. Both Council Members Morrow and Brieno expressed their concerns regarding the cost to contract Willdan Financial, and they would like to see the item brought back to the Council in the future for review and consideration.

Motion to approve and be funded by the Landscape Assessment Districts.

RESULT:	**APPROVED [3 TO 2]**
MOVER:	John Draxler, Council Member
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Draxler, Sharp, Ramirez
NAYS:	Brieno, Morrow

C. Public Works: Appropriation of $72,409.52 from the Water Capital Reserve Fund for the advance of funding to purchase and install new well equipment from Valley Pump & Dairy Systems, Inc of Armona with the expectation that the funds will be reimbursed by SCE through the SCE Incentive Grant and Loan programs.

Public Works Director John Doyel briefly discussed the appropriation from the Water Capital Fund for the advance funding to purchase and install the new well equipment with the expectation that it will be recovered from the SCE Incentive Grant and Loan Program after the project is complete.

Motion to approve.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Brieno, Council Member
SECONDER:	Kalish Morrow, Council Member
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

D. Finance: Review and Approval of Annual Report for Development Impact Fees Pertaining to City of Hanford Impact Fees for Parks, Transportation, Fire Protection, Police Protection, Storm Water System, Water System, Wastewater System, and Refuse & Recycling.

Interim Finance Director Eric Frost presented the Annual Impact Fee Report for review and consideration. Dir. Frost invited questions from the Council.

Motion to approve the Annual Report for Development Impact Fees.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Sharp, Vice Mayor
SECONDER:	Art Brieno, Council Member
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

E. Council: Receive and discuss the list of committees and boards that have City Council representation directly appointed by the Council and make Appointments as appropriate.

Mayor Ramirez made the following appointments of Council representatives:

Parks and Recreation
Francisco Ramirez
Kalish Morrow (alternate)

Parking and Traffic Commission
John Draxler
Francisco Ramirez (alternate)

Planning Commission
Kalish Morrow
Francisco Ramirez (alternate)

League of California Cities
John Draxler
Francisco Ramirez (alternate)

Kings Economic Development Corporation
Kalish Morrow
Francisco Ramirez (alternate)

Kings County Association of Governments
Diane Sharp
Francisco Ramirez (alternate)

Kings County Area Public Transit Agency (KART)
Diane Sharp
Francisco Ramirez (alternate)

Kings County Abandoned Vehicle Authority
Diane Sharp
Francisco Ramirez (alternate)

Kings Community Action Organization (KCAO)
Francisco Ramirez
Diane Sharp (alternate)

Kings Waste and Recycling Authority (KWRA)
John Draxler
Francisco Ramirez (alternate)

Cross Valley Rail Joint Powers Authority
Diane Sharp
Kalish Morrow (alternate)

Special City Selection Committee
Diane Sharp

City County Coordination Task Force
Francisco Ramirez
Sharp (alternate)

Kings County Area Disaster Council
Francisco Ramirez
Diane Sharp (alternate)

Kings County Commission On Aging
Francisco Ramirez

Kings Mosquito Abatement District Board
Bill Gundacker

San Joaquin Valley Task Force Steering Com.
The appointment is to be made by Kings County

San Joaquin Joint Powers Authority
Kalish Morrow

Mid-Kings River Groundwater Sustainability Agency
Diane Sharp

Kings County Homeless Commission
John Draxler

RESULT:	**CONSENSUS**

CONVENE AS SUCCESSOR AGENCY:

Mayor Ramirez convened the meeting for the Successors Agency at 8:11 p.m.

PUBLIC COMMENT-SUCCESSOR AGENCY :

Any person may directly address the Board at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Board. A maximum of three minutes is allowed for each speaker.

None.

SUCCESSOR AGENCY FOR THE DISCUSSION OF THE FOLLOWING:

A. Finance: Review and approval of the Recognized Obligation Payment Schedule (ROPS 20-21) for the period July 1, 2021 to June 30, 2022.

Interim Finance Director Eric Frost discussed the history of the Successor Agency and the annual obligation to prepare a Recognized Obligation Payment Schedule (ROPS) and submit the ROPS to the State Department of Finance (DOF).

Motion to approve the Recognized Obligation Payment Schedule for the period July 1, 2021 to June 30, 2022.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Draxler, Council Member
SECONDER:	Diane Sharp, Vice Mayor
AYES:	Draxler, Sharp, Brieno, Morrow, Ramirez

ADJOURN AS THE SUCCESSOR AGENCY:

Mayor Ramirez adjourned the Successor Agency and reconvened the regular City Council Meeting at 8:15 p.m.

COUNCIL FUTURE AGENDA ITEMS:

A. Council Future Agenda Items

It was a consensus of the Council to meet with staff at the proposed park site and discuss the placement of the Civic Park Playground Project.

ADJOURNMENT:

Mayor Ramirez adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Natalie Corral
City Clerk

AGREEMENT FOR SERVICES

This Agreement for Services ("Agreement") is made and entered into this 17th day of June, 2024, by and between the City of Hanford, a municipal corporation ("City"), and Clean Cut Landscape Management, Inc. ("Consultant").

RECITALS

A. Consultant represents to City that they are specially trained, experienced, licensed, and competent to perform the services which will be required by this Agreement; and

B. Consultant represents to City that it possesses the skill, experience, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.

C. City desires to retain Consultant to render Veterinary Services as set forth in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants set forth herein for such other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

1) **<u>Retention of Consultant</u>**. Subject to the terms and conditions set forth herein, City retains Consultant to perform the services identified in this Agreement, as an independent contractor and Consultant hereby accepts this independent contractor appointment.

2) **<u>Scope of Services and City Responsibilities</u>**.

a) Consultant shall perform the services ("Services") and City shall have the responsibilities described on the attached Exhibit "A," which is incorporated herein by reference. To the maximum extent possible, the terms of the body of this Agreement and Exhibit "A" shall be interpreted so they are consistent; however, if there is a direct and irreconcilable conflict between the text of this Agreement and Exhibit "A," the former shall control.

b) Consultant shall correct any and all errors and/or omissions, which arise out of Consultant's negligence or intentional misconduct, in the performance of the Services and any documents resulting therefrom even though City has accepted said Services or documents. Consultant shall make such corrections upon City's request and at no cost or expense to City.

3) **<u>Time of Performance</u>**. Services shall be completed by the dates identified in the attached Exhibit "A."

4) **<u>Compensation</u>**. Compensation to be paid to Consultant shall be in accordance with the attached Exhibit "A." Payment by City under this Agreement shall not be deemed a waiver of errors, even if such errors were known to City at the time of payment.

5) **Method of Payment**. Consultant shall submit monthly billings to City describing the work performed during the preceding month. Consultants' bills shall include a brief description of the Services performed and the date the Services were performed the number of hours spent and by whom, and a description of any reimbursable expenditures. City shall pay Consultant no later than sixty (60) calendar days after the date of submittal of an invoice for completed tasks and approval of the invoice by City staff.

6) **Extra Work.** At any time during the term of this Agreement, City may request that Consultant perform Extra Work. As used herein, "Extra Work" means any work which is determined by the City to be necessary for the proper completion of the Services, but which is not included in Exhibit "A." Extra work will be performed on terms agreed upon by the parties. Consultant shall not perform, nor be compensated for Extra Work without written authorization from the City.

7) **Termination**. This Agreement may be terminated by City immediately and without notice for cause or by City without cause upon ten (10) days' written notice of termination to Consultant. Upon termination, Consultant shall be entitled to compensation for Services performed up to the effective date of termination, unless this Agreement is terminated for cause, in which case, City may withhold compensation due Consultant in order to reimburse City for any losses, damages or expenses caused by Consultant's default under this Agreement.

8) **Ownership of Documents**. All plans, studies, documents and other writings and electronic disks containing drawings prepared by and for Consultant, its officers, employees, agents and subcontractors in the course of implementing this Agreement, except working notes and internal documents, shall become the property of City, and City shall have the sole right to use such materials in its discretion without further compensation to Consultant or to any other party. Consultant shall, at Consultant's expense, provide such reports, plans, studies, documents and other writings to City upon written request.

   However, the City's use of completed documents for other projects and/or the use of uncompleted documents without the written authorization of Consultant will be at the City's sole risk. City shall, to the fullest extent permitted by law, indemnify and hold harmless the Consultant from all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from any unauthorized reuse of, or changes to the Project Documents not performed by the Consultant.

9) **Licensing of Intellectual Property**. This Agreement creates a non-exclusive and perpetual license for City to use, modify, reuse or sublicense any and all copyrights, designs, and other intellectual property embodied in plans, specifications, studies, drawings, estimates, and other documents or works of authorship fixed in any tangible medium of expression, including but not limited to, physical drawings or data, electronic or otherwise, recorded on computer diskettes which are prepared or caused to be prepared by Consultant under this Agreement ("Documents & Data"). Consultant shall require all subcontractors to agree in writing that City is granted non-exclusive and perpetual license for any Documents & Data the subcontractor prepared under this Agreement. Consultant

represents and warrants that Consultant has the legal right to license any and all Documents & Data. The City shall not be limited in any way in its use of the Documents & Data at any time, provided that any such use not within the purpose intended by this Agreement shall be at the City's sole risk. City shall, to the fullest extent permitted by law, indemnify and hold harmless the Consultant from all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from any unauthorized reuse of or changes to the Project Documents not performed by the Consultant.

10) **Confidentiality**. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other Documents & Data either created by or provided to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant. Such materials shall not, without the prior written consent of City, be used by Consultant for any purposes other than the performance of the Services under this Agreement, nor shall such materials be disclosed to any person or entity not connected with the performance of the Services under this Agreement. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name, insignia, photographs, or the project for which Consultant's Services are rendered, or any publicity pertaining to the Consultant's Services under this Agreement in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent by City. Notwithstanding the foregoing, City acknowledges that the Consultant may want/need to include projects performed under this Agreement on proposals for similar work in the future. City hereby grants permission to list any projects performed under this agreement for marketing purposes; provided however, Consultant will not make any representations regarding City's satisfaction with Consultant's work product unless Consultant receives a written statement or evaluation from City.

11) **Equal Opportunity Employment**. Consultant represents that it is an equal opportunity employer, and it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's programs or guidelines currently in effect as identified and provided to Consultant by City.

12) **Insurance Requirements**.

a) Consultant, at Consultant's own cost and expense, shall procure and maintain, for the duration of this Agreement, the following insurance policies.

i) Workers Compensation Coverage. As required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than ONE MILLION AND NO/100 DOLLARS ($1,000,000) per accident for bodily injury or disease.

ii) Commercial General Liability (CGL) Coverage. Insurance Services Office (ISO) Form CG 0001, including products and completed operations, with a limit of no less than TWO MILLION AND NO/100 DOLLARS ($2,000,000) per occurrence for bodily injury, personal injury, and property damage, and a general aggregate limit of no less than FOUR MILLION AND NO/100 DOLLARS ($4,000,000).

iii) Automobile Liability Coverage. ISO Form Number CA 0001 covering any auto (Code 1), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned),with a limit no less than ONE MILLION AND NO/100 DOLLARS ($1,000,000) per accident for bodily injury and property damage.

If the Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Consultant.

Consultant's insurance policies shall be "occurrence" policies and not "claims made."

Consultant may maintain an Umbrella policy in conjunction with the insurance policies referenced above. In such case, Consultant shall be deemed to have satisfied the insurance requirements of this contract as long as: (i) the coverage limits of the Umbrella policy and of the underlying liability policy(ies), when combined, satisfy each of the per occurrence and aggregate requirements identified in this section; and (ii) coverage under the Umbrella policy is as broad as and includes all incidents and events covered by the underlying insurance that it supplements.

b) Any deductibles or self-insured retentions must be declared to and approved by City. The city may require Consultant to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Alternatively, City may require Consultant to provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigations, claim administration, and defense expenses within the retention**.**

c) The policies are to contain, or be endorsed to contain, the following provisions:

i) City and its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL and automobile liability policies with respect to liability arising out of work or operations performed by or on behalf of Consultant including materials, parts, or equipment furnished in connection with such work or operations; products used by Consultant; or automobiles owned, leased, hired or borrowed by Consultant. General liability coverage can be provided in the form of an endorsement to Consultant's insurance at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10, CG 20 26, CG 20 33 or CG 20 38 ***and*** CG 20 37 if a later edition is used. The coverage shall contain no special limitations on the scope of protection afforded to the City and its officers, officials, employees or volunteers.

ii) For any claims related to this contract, Consultant's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 as to City and its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City and/or its officers, officials, employees, or volunteers shall be in excess of Consultant's insurance and shall be non-contributory.

iii) Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the City.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII

Consultant shall furnish City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The city reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

d) Consultant hereby grants to City and its officers, officials, employees, and volunteers a waiver of any right to subrogation which any insurer of Consultant may acquire against City and/or its officers, officials, employees, and volunteers by virtue of the payment of any loss under such insurance. Consultant agrees to obtain endorsements necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not City has received a waiver of subrogation endorsement from the insurer.

13) **Indemnification**. To the fullest extent allowable by law, Consultant agrees to indemnify, defend and hold harmless City and its officials, officers, employees, agents and volunteers from and against all claims, demands, actions, injuries, liabilities, losses, costs or damages, direct or indirect, and any and all attorneys' fees and other expenses which City or its officials, officers, employees, agents or volunteers may sustain or incur as a consequence of or are in any way related to Consultant's or its owners, directors, officers, managers, employees, agents and subcontractor's willful misconduct or negligent acts or omissions in the performance of the services and Consultants responsibilities and obligations to be performed under this agreement or its failure to perform or comply with any of its obligations or responsibilities contained in this agreement; excluding, however, such liability, claims, losses, damages or expenses arising from City's sole or active negligence or willful misconduct. This duty to indemnify, defend, and hold harmless shall survive the termination of this agreement.

14) **Independent Contractor Status**. It is understood and agreed that the Consultant, in the performance of the Services to be performed pursuant to this Agreement, shall act as and be an independent contractor and shall not act as an agent or employee of City. Consultant shall obtain no retirement benefits or other benefits which accrue to City's employees and Consultant hereby expressly waives any claim it may have to any such rights. Nothing in this Agreement shall create or be construed as creating a partnership, joint venture or any other relationship between City and Consultant.

15) **Consultant's Books and Records**.

a) Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, or expenditures and disbursements charged to City for a minimum period of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement.

b) The consultant shall maintain all documents and records that demonstrate performance under this Agreement for a minimum period of three (3) years, or for any longer period required by law, from the date of termination or completion of this Agreement.

c) Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the City. Copies of such documents should be provided to the City for inspection at City offices.

d) Where City has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of Consultant's business, City may, by written request, require that custody of the records be given to City and that the records and documents be maintained in City offices. Access to such records and documents shall be granted to any party authorized by the Consultant, Consultant's representatives, or Consultant's successor-in-interest.

16) **Interest of Consultant**. Consultant and its owners, members, or shareholders, as applicable, covenant and represent that they do not now have any investment or interest in real property and shall not acquire any interest, direct or indirect, in the area covered by this Agreement or any other source of income, interest in real property or investment which would be affected in any manner or degree by the performance of Consultant's Services hereunder. Consultant further covenants and represents that in the performance of the Services hereunder, to the best of its knowledge no person having any such interest shall perform any Services under this Agreement.

Consultant is not a designated employee within the meaning of the Political Reform Act because Consultant:

a) will conduct research and arrive at conclusions with respect to rendition of information, advice, recommendation, or counsel independent of the control and direction of City or of any City official, other than normal agreement monitoring; and

b) possesses no authority with respect to any City decision beyond rendition of information, advice, recommendation, or counsel. FPPC Reg. Sec. 18700, et seq.

17) **Professional Ability of Consultant**. City has relied upon Consultant's representations regarding its training and professional ability to perform the Services hereunder as a material inducement to enter into this Agreement. Consultant shall therefore provide properly skilled personnel to perform all Services under this Agreement. The primary provider of the Services called for by this Agreement shall be **Karry Wendel**, who shall

not be replaced without the written consent of City. All work performed by Consultant under this Agreement shall be in accordance with the applicable professional standard care and shall meet the local professional standard of quality ordinarily to be expected of competent persons in Consultant's field of expertise working in Kings County.

18) **Compliance with Laws**. The consultant shall use the proper standard of care in performing the Services and shall comply with all applicable federal, state and local laws, codes, ordinances and regulations in effect at the time the agreement is executed. In addition, if the request for proposal to provide services which are the subject of this Agreement cited any federal or state financial assistance involved in the project for which the Services are provided, the Consultant shall perform all services in accordance with all applicable federal and state laws, rates and regulations in effect at the time the agreement is executed.

19) **Licenses**. Consultant represents and warrants to City that it has all licenses, permits, qualifications, and insurance which are legally required of Consultant to lawfully and competently perform the Services. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, and insurance which are legally required of Consultant to lawfully and competently perform the Services. Consultant shall maintain a City of Hanford business license.

20) **Assignment and Subcontracting**. The parties recognize that a substantial inducement to City for entering into this Agreement is the reputation, experience, and competence of Consultant. Assignments of any or all rights, duties or obligations of the Consultant under this Agreement will be permitted only with the express written consent of City, which will not be unreasonably withheld. Consultant shall not subcontract any portion of the Services to be performed under this Agreement without the express written consent of City, which will not be unreasonably withheld. If the City consents to such subcontract, Consultant shall be fully responsible to City for all acts or omissions of the subcontractor. Nothing in this Agreement shall: (i) create any contractual relationship between City and subcontractor; (ii) create any obligation on the part of City to pay or to see to the payment of any monies due to any such subcontractor; (iii) or relieve Consultant of any of its obligations and responsibilities under this Agreement.

21) **Attorneys' Fees**. If an action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs, and necessary disbursements in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement, or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior Court for the County of Kings, State of California for any proceeding arising hereunder.

22) **Sole and Only Agreement**. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party

or anyone acting on behalf of any party which are not embodied in this Agreement and no other agreement, statement or promise shall be valid or binding.

23) **Invalidity**. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

24) **Amendment**. No change, amendment or modification of this Agreement shall be valid unless the same be in writing and signed by the parties hereto.

25) **Governing Law**. This Agreement shall be construed and governed pursuant to the laws of the State of California.

26) **Waiver**. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

27) **Mediation**. The parties agree to make a good faith attempt to resolve any disputes arising out of this Agreement through mediation prior to commencing litigation. The parties shall mutually agree upon the mediator and shall divide the costs of mediation equally. If the parties are unable to agree upon a mediator, the dispute shall be submitted to JAMS/ENDISPUTE ("JAMS") or its successor in interest. JAMS shall provide the parties with the names of five qualified mediators. Each party shall have the option to strike two of the five mediators selected by JAMS and thereafter the mediator remaining shall hear the dispute. If the dispute remains unresolved after mediation, either party may commence litigation.

28) **Prohibited Interests**. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further Consultant warrants that it has not paid, nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or result from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

29) **Authority to Enter Agreement**. Consultant has all requisite power and authority to conduct its business and to execute, deliver and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

30) **Notice**. Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, when transmitted by facsimile or e-mail if receipt is acknowledged by the addressee, one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three business days after being mailed by first class mail, charges and postage prepaid, property

addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed and addressed as follows:

CITY OF HANFORD	**CONSULTANT**
Mario A. Cifuentez II City of Hanford 319 N. Douty Hanford, CA 93230	Clean Cut Landscape Management, Inc. Karry Wendel, President 1865 Herndon Avenue, K636 Clovis, CA 93619

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the day and in the year first set forth above.

CITY

CITY OF HANFORD,
a Municipal Corporation

By:_____
MARIO A. CIFUENTEZ II
City Manager

CONSULTANT

CLEAN CUT LANDSCAPE MANAGEMENT, INC.

By:_____
KARRY WENDEL
President

EXHIBIT "A"
SCOPE OF SERVICES

1. **Irrigation Service and Repair** include but are not limited to time clock maintenance and repairs; valve, head, and piping maintenance and repairs; drip system maintenance and repair; and booster pump maintenance. The area to be covered by the contractor is immediately after the water meter/ point of connection through the rest of the irrigation system. The exception is any backflow devices that will be serviced annually by the Water Dept.
    a. Irrigation Time Clock Maintenance is all related: to programming cycles, seasonal adjusting, wiring, or rewiring, troubleshooting problems, and necessary repairs. To maintain adequate soil moisture Contractor will program the irrigation system as follows:
        i. Adjusting and setting the automatic controller to establish the frequency and length of the watering period in compliance with the City of Hanford and other governing agencies' guidelines and parameters.
            1. Consideration must be given to the soil conditions, humidity, minimizing run-off, and the relationship of conditions that affect irrigation.
        ii. In the areas where wind creates problems of spraying water onto private property or road rights-of-way, the controllers shall be set to operate during the period of lowest wind velocity which would normally occur at night or early morning hours.
        iii. The irrigation system will be controlled in such a way as not to cause any excessively wet or "water-logged" areas which could interfere with the ability to mow all turf. "In lawn" trees and other plantings shall be protected from over-watering and run off.
        iv. All landscaped areas shall be watered as needed to maintain a healthy condition, with appropriate care being taken not to overwater in shady areas or violate City irrigation standards without prior written approval for the variance.
        v. Newly seeded turf (through the sixth mowing) shall be watered immediately after mowing. Well-established turf shall not be watered for at least four (4) hours after mowing.
    b. Valve, Head, and Piping Maintenance and Repairs. Operation and maintenance of the irrigation system shall receive no less than the following:
        i. Irrigation valves shall be serviced regularly so the system can consistently provide adequate water to the plant materials in its service area.
            1. Valves shall be throttled wide open unless a specific need is identified.
            2. Solenoids will be checked periodically to ensure connections are secure and solenoids are functioning properly.
            3. Check the operability of controllers, quick couplers, valves, and sprinkler heads once per month or more frequently if problems/conditions indicate a need and report system status to the Parks Supervisor/Parks and Facilities Manager.

4. Repair and/or replace damaged or inoperable valves as needed.

ii. Irrigation heads shall be serviced regularly so the system can consistently provide adequate water to the plant materials in its service area.
    1. Station checks to evaluate the regular operations should be done min of once per month to allow the Contractor to observe the actual operation of the irrigation heads to ensure proper rotation and coverage.
    2. Nozzles should be balanced to provide consistent coverage between heads on the same station. Same GPM in coverage areas.
    3. Water shall be regulated to avoid interference with any use of the facility's roadways, paving, or walks.
    4. Heads should be adjusted as needed to ensure correct areas are being covered and no unintended areas are receiving excess water.

c. Piping and line maintenance
    i. During station checks the Contractor should also observe the area that the irrigation piping runs under to look for breaks, leaks, or other irregularities that could indicate problems or repairs that need to be made.
        1. If a lateral line needs repair the valve that controls that line can be throttled down to let the rest of the system operate as normal and not impact the rest of the system.
        2. If the leak is on a mainline, then the backflow or isolation valve should be closed so the repair can be made at the earliest possible opportunity.

d. Drip lines and low-flow systems
    i. Regular flushing and maintenance should be done to ensure adequate flow to the plant materials being served by the system.
    ii. Since these systems are prone to damage (vandalism and rodents) the Contractor should make a point to observe the entire line when doing a station test at least once every other month or more if a persistent problem is present.

e. Booster pumps should be serviced at least twice per year with regular observations when doing monthly stations test.
    i. Each pump and motor are unique and may have specialized needs. Become familiar with the pump and motor at your facilities.
    ii. Common service needs can include greasing points, tightening housing around bushings, checking for wear, etc.

2. <u>Landscape/Turf Maintenance</u>

a. **Mowing** - Mowing operations shall be scheduled Monday through Friday between the hours of 7:00 a.m. and 3:00 p.m.
    i. All grass clippings can be mulched on-site and clippings must be dispersed to not create a "windrow" situation on the same day the area is mowed. Except for designated parks or removed from the site as soon after the mowing as possible.

b. Edging - All turf edges including but not limited to sidewalks, patios, drives, curbs, shrub beds, flower beds, groundcover beds, and around the base of trees shall be edged to a neat and uniform line.
    i. Mechanical edging of turf shall be performed at each site at a minimum of every other week. The edging shall be completed as one operation in a manner that ensures a well-defined edge.
        1. Use tools like edgers, string trimmers, or use of herbicides can be used to accomplish this task.
    ii. Irrigation-related areas - Detailing of sprinkler heads (to provide maximum water coverage), valve boxes, meter boxes, and similar small obstacles in turf areas shall be performed in a manner that ensures operability, ease of location, or a clean appearance.
        1. Chemicals may be used to attain clearance in addition to other mechanical methods. Grass should be no more than six (6) inches from any edge of the irrigation-related features. Irrigation heads need to be free of obstructions and may have grass immediately adjacent to them trimmed back as needed.
    iii. Plant materials –
        1. Trees & Shrubs - Where trees and shrubs occur in turf areas, all grass growth shall be limited to a minimum of twelve (12) inches from the trunk of trees and Six (6) inches away from the drip line of shrubs.
        2. The maximum distance from the base should not be more than five (5) times the width of the trunk away from larger trees, and no larger than the maximum of a five (5) foot radius.
        3. The exception to the five (5) foot radius is if the roots of a tree have lifted out of the ground they should be avoided to preserve the equipment and removed as part of the tree care and maintenance.
    iv. Planter beds - should have a clean edge and whenever possible a cement mow strip to maintain the definition between the turf and planter beds. When other methods are used to separate these spaces, the grass shall be cut back to make a clean defined line separating the two spaces.
    v. All turf areas shall be kept neatly edged and all grass invasions into areas not designated as turf are to be eliminated.
c. Blowing – All hardscapes should be free from debris and clippings.
    i. Walkways – Walkways shall be cleaned immediately following each mowing/ edging and a minimum of once per week. This includes DG and other non-cement pathways and surfaces.
    ii. Shelters and Slabs – all shelters and picnic table slabs should be blown down at least once per week but more as needed.
    iii. Parking lots – should be blown out every week and heavier debris should be picked up as needed.
    iv. Play areas- pour in place (PIP) and other hardscapes should be blown down a minimum of once per week or more if needed. This should also include the mow strip along the edges of the play spaces and transition ramps.

3. **<u>Tree, Shrub, Groundcover, and Vine Maintenance</u>** includes but is not limited to pruning, fertilizing, and weeding.
    a. Trees care should be performed in such a way that the tree is groomed to become as close to the ideal depiction (shape and growth profile) of the species as possible and ensure the longest lifespan as possible.
        i. Pruning should be done to no more than 1/3 of the tree's foliage at any given time to prevent stressing the tree or inviting pests. Shearing of trees shall not be permitted.
        ii. Trees shall be pruned to select and develop permanent scaffold branches that are smaller in diameter than the trunk or branch to which they are attached; and which have well-spaced branches eighteen (18) inches apart, orientated so as not to overlay one another.
        iii. Under no circumstances shall stripping of lower branches ("raising ") of young trees be permitted. Lower branches shall be retained in a 'tipped back' or pinched condition with as much foliage as possible to promote caliper trunk growth (tapered trunk). Lower branches may be pruned to the trunk when side branches reach one-third (1/3) the diameter of the trunk.
        iv. Evergreen trees shall be thinned out and shaped when necessary to prevent wind and storm damage.
    b. Pruning of trees shall be done as needed to achieve the following:
        i. To shape, particularly to correct misshaping caused by the wind.
        ii. To maintain the natural form and balance of the trees.
        iii. To remove all dead or damaged branches.
        iv. To remove suckers, water sprouts, and other undesirable growth on trees.
        v. To shorten or remove lower branches wherever they pose a problem to pedestrians or vehicles-ten (10) feet for pedestrian areas and walkways; fourteen (14) feet for vehicular roadways.
    c. Pruning Procedures
        i. When it is necessary to reduce limb lengths, drop crotch as much as possible and avoid cutting back the support limbs to laterals less than one third (1/3) of the diameter of the supporting limbs.
        ii. A three (3) saw cut will be used on large, heavy branches. All limbs greater than one and one-half (1 1/2) inches shall be undercut to prevent splitting or peeling the bark.
        iii. No trees are to be topped without the consent of the Supervisor and then only in cases to alleviate a hazardous condition. When the topping is necessary, attention shall be given to reshaping the trees to maintain a typical tree form for the species.
        iv. Any branches/limbs that fall because of "natural" causes or acts of God are to be cleared by the vendor as part of the regular duties. If the branch falls after hours and is blocking the right of way City staff may clear the debris from the right of way and leave the material for the vendor to remove.

d. Planter Beds - Shrubs, Groundcover, and Vines should be maintained in such a way as to allow for the aesthetics and plant natural qualities to be displayed.
    i. Restrict the growth of hedges and shrubs to areas behind curbs and walkways and within planter beds by trimming. Under no circumstances shall hedge shears be used as a means of pruning.
    ii. Planter beds should be kept weed free as much as possible. See weed control
    iii. Shrubs
        1. Shrubs with flowers on old growth should be pruned immediately after they have flowered. Shrubs with flowers on new growth should be pruned in late winter or early spring.
        2. Shrubs should be kept no taller than 5 ft unless otherwise specified in the site description.
        3. Deadwood or dead leaves should be removed during regular service cycles.
    iv. VINES
        1. Vines and espalier plants shall be checked and secured as required. Secure vines with appropriate ties to promote directional growth on supports.
        2. Do not use nails to secure vines on masonry walls.
        3. Deepwater vines in pockets are not provided with sprinklers as required to promote optimum growth.
    v. Groundcover
        1. All areas planted in ground covers shall be adequately irrigated and fertilized to maintain vigorous growth.
        2. Ground cover beds shall be periodically edged to keep them in their intended space. Ground covers shall not be allowed to encroach into sidewalks, lawns, shrub beds, or other areas deemed undesirable by the Parks Manager.
        3. Ground cover plantings shall be periodically thinned and pruned for vigorous growth and overall appearance of the site as directed by the Parks Manager.
        4. Periodic replanting will be required to maintain ground cover continuity. A request for replacement planting material is to be submitted to the Parks Manager along with an estimate to supply the labor for such replacement.
        5. Weed invasion into ground cover areas may require complete removal, chemical treatment of the area, and replacement of ground cover at the Contractor's expense.

    vi. Pruning/Trimming Frequency
        1. Trees: Clearance pruning two (2) times per year as necessary.
        2. Vines: Pruning of vines will be following good horticulture practices as needed.
        3. Groundcover thinning: As needed.

4. Pruning plant material for vehicular and pedestrian visibility clearance and access: Four (4) times per year or more often as needed depending upon the growth patterns of the plant species in question.
5. Hedge and shrub pruning: As needed dependent upon the growth patterns of the plant species in question.

vii. Any hazards or acts of vandalism shall be reported immediately to the Parks Supervisor. Hazards, such as broken tree limbs, broken benches, potholes on grounds, standing water, ropes tied to tree limbs, excavations, and unsecured material (such as wood, wire, metal, etc.), may be appropriately remedied by the Contractor.

viii. Plant material shall conform to the requirements of the Landscape Plan of the area and to the "Horticultural Standards" of the American Association of Nurserymen.

e. Trash/Litter Abatement

i. Trash cans in LAD parks should be emptied during weekly service cycles.

ii. Litter/hand trash should be picked up prior to any mowing or other power tool use that could spread or shred the trash creating a greater eyesore.

4. **Wedd Control** - General. For the purposes of this specification, a weed shall be considered to be any undesirable plant or plant growing out of place.

a. All landscaping within the specified maintenance areas including lawns, planter areas, and tree wells shall be kept weed free at all times. Complete removal of all weed growth is to be accomplished on a continuing basis. Weeds may be controlled by mechanical methods or chemical methods at the discretion of the Contractor. Weeds reaching a height of 2 inches shall be physically removed from landscaped areas.

b. Center island maintenance shall include the removal of weeds growing on all paved and unpaved surfaces of the median vegetation growing at the base of the median between the curb face and street surface.

c. Use of Chemical Herbicides for Weed Control. The Contractor shall abide by all rules and regulations of the California State Department of Pesticide Regulations, Department of Health, and Department of Industrial Relations regarding the safe application of herbicides under this contract. Care shall be taken to ensure the safety of the public and the Contractor's employees during chemical weed control operations. The Parks Superintendent may restrict the use of chemical weed control in certain areas.

i. Great care shall be taken by the Contractor to avoid herbicide drift onto non-target plants. The Contractor will be required to obtain the appropriate permits from Kings County, provide herbicide chemicals and apply chemicals at the Contractor’s cost.

d. Disease and Pest Control

i. The Contractor shall regularly inspect all landscaped areas for the presence of disease, insect, or rodent infestation. The Contractor shall notify the Parks Supervisor / Manager within 3 days of finding such a

condition, outlining identification and control measures to be taken. Upon approval of the Parks Supervisor / Manager, the Contractor shall implement the approved control measures utilizing all safeguards necessary to protect the public and Contractor's employees.

e. Use of Chemical Pesticides. All rules of the California State Department of Pesticide Regulations, Department of Health and Department of Industrial Relations regarding safe application of pesticides under this contract shall be observed.
f. Great care shall be taken to avoid pesticide drift onto non-target organisms.

EXHIBIT "B"

Quadrant 1

NAME	Pinecastle	Location	10th Ave & Fargo
District	90-01	Turf, accent plants, ground covers, hedges, trees; irrigation system; landscape lights, meandering sidewalk; entry islands. Hedges are to be maintained 1-1/2 feet above the top of the wall.	
AREA	67,750		
Fund	0240		

NAME	Portifino	Location	E Fargo Ave
District	92-01	Turf, accent plants, shrubs, trees; irrigation system; meandering sidewalk, entry islands. All hedges and shrubs are to be maintained to a height no greater than 5 feet.	
AREA	19,167		
Fund	0245		

NAME	Gateway Estates	Location	10th Ave @ Highway 43 (Mission Dr)
District	94-01	Subdivision Frontage: Turf, ground cover, accent plants, shrubs, trees, vines; irrigation system; accent lights; entry island; meandering sidewalk.	
AREA	2,725		
Fund	0249		

NAME	Gateway Estates Basin	Location	Along Fairmont Dr -North of Sheerwood Ct
District	94-01	Ponding Basin (Interior of Subdivision) Ground cover, shrubs, trees; irrigation system; frontage sidewalk. All hedges are to be maintained to a height no greater than 5 feet.	
AREA	5,460		
Fund	0249		

NAME	Summerfield	Location	E Florinda @ 9 1/4 Ave
District	97-02	Ground covers, shrubs, trees; irrigation system; frontage sidewalk.	
AREA	4,650		
Fund	0253		

NAME	Crystal Springs	Location	E Grangeville Blvd
District	98-01	Turf, accent plants, trees, shrubs, irrigation system, meandering sidewalk	
AREA	14,435		
Fund	0255		

NAME	Sierra Heights	Location	Fargo Ave @ Meadow View Rd & HWY 43 Frontage
District	04-04	Turf, accent plants, shrubs, trees, entry sign lighting, meandering sidewalk, irrigation system.	
AREA	13,470		
Fund	0266		

NAME	Sierra Heights Basin	Location	Meadow View Rd Basin
District	04-04	Ground covers, shrubs, trees; irrigation system;	
AREA	2,577		
Fund	0266		

NAME	Misson Park Frontage	Location	Flint Ave &Mission Dr
District	05-01	Shrubs, accent plants, trees, straight sidewalks, irrigation system.	
AREA	2,393		
Fund	0267		

NAME	Misson Park Basin	Location	Mission Dr , North of Adobe St
District	05-01	Shrubs, trees, ground cover, irrigation system and walkway	
AREA	3,125		
Fund	0267		

NAME	The Greens II	Location	Grangeville @ 9 1/4 Ave
District	15-02	Shrubs, accent plants, trees, straight sidewalks, irrigation system.	
AREA	16,416		
Fund	0275		

NAME	Quail Run Estates Frontage	Location	11th Ave Pepper to Millbrook
District	94-03	Turf, accent plants, ground cover, shrubs, trees; irrigation system; entry islands; straight sidewalk within the parkway.	
AREA	20,583		
Fund	0251		

NAME	Quail Run Estates Park	Location	Windsor Dr & Fir Dr
District	94-03	Trees, turf, shrubs, straight walk, curbing, irrigation systems, and Trash/ litter abatement.	
AREA	29,494		
Fund	0251		

NAME	Quail Run Estates Basin Park	Location	Windsor Dr & Fir Dr
District	94-03	Trees, turf, shrubs, irrigation systems, and Trash/ litter abatement.	
AREA	56,469		
Fund	0251		

NAME	Poppy Hills	Location	N 11th Ave
District	01-03	Turf, accent plants, ground cover, trees, shrubs, irrigation system, meandering sidewalk; entry islands.	
AREA	11,782		
Fund	0259		

NAME	Quail Park Frontage	Location	Glacier Way & Flint Ave
District	06-01	Turf, accent plants, shrubs, trees, irrigation system, meandering, and straight sidewalks.	
AREA	52,950		
Fund	0269		

NAME	Quail Park Railroad Frontage	Location	Railroad Frontage N of Galcier
District	06-01	Trees, shrubs, automatic bubbler-type irrigation	
AREA	34,140		
Fund	0269		

NAME	Stonecrest Frontage	Location	11 Ave & Fargo
District	94-02	Turf, accent plants, ground cover, vines, shrubs, trees; irrigation system; entry islands; meandering sidewalk.	
AREA	67,875		
Fund	0250		

NAME	Stonecrest / Glacier Park	Location	Fargo & Glacier
District	94-02	Irrigation system, turf grass, trees, meandering sidewalk, and rolling terrain. Trash/ litter abatement.	
AREA	54,450		
Fund	0250		

NAME	Stonecrest Railroad Frontage	Location	Railroad frontage north of Fargo
District	94-02	Automatic bubbler-type irrigation, shrubs and tr+A3:F101ees, weed control, plant basin care.	
AREA	51,578		
Fund	0250		

Quadrant 2

NAME	Park Monterey	Location	N Douty Ave
District	90-02	Turf, accent plants, ground covers, shrubs, hedges, trees; irrigation system; meandering sidewalk. All hedges are to be maintained to a height no greater than 5 feet.	
AREA	8,625		
Fund	0241		

NAME	Mansionette	Location	N Douty Ave
District	90-03	Turf, accent plants, ground covers, shrubs, hedges, roses, trees; irrigation system; meandering sidewalk. All hedges are to be maintained to a height no greater than 5 feet.	
AREA	16,425		
Fund	0242		

NAME	Cambridge Homes Frontage	Location	N 11th Ave
District	01-02	Turf, accent plants, ground cover, trees, shrubs, Irrigation system, meandering sidewalk.	
AREA	12,435		
Fund	0258		

NAME	Cambridge Homes Railroad Frontage	Location	Railroad Frontage
District	01-02	Shrubs, trees, weed control, plant basin, irrigation system.	
AREA	22,790		
Fund	0258		

NAME	Majesty /Cambridge Homes Frontage	Location	Douty to Flint &11th Ave
District	04-02	Turf, accent plants, shrubs, trees, irrigation system, meandering, and straight sidewalks.	
AREA	55,384		
Fund	0264		

NAME	Majesty /Cambridge Homes Basin Forntage	Location	Pioneer WY, Harold Griswold WY, Johnua St
District	04-02	Trees, shrubs, accent plants, irrigation system.	
AREA	8,440		
Fund	0264		

NAME	Vintage Estates	Location	N 12th Ave
District	93-01	Turf, accent plants, ground covers, vines, shrubs, trees; irrigation system; no sidewalk; maintain d.g. surface frontage in a weed-free condition.	
AREA	16,980		
Fund	0247		

NAME	Vineyards- Cambridge Homes Frontage	Location	Fitzgerald Ln and Fargo Ave to include inlets at Muscat, Semillion, Burgandy and Syrah
District	04-03	Turf, accent plants, shrubs, trees; automatic spray-type irrigation system; meandering sidewalk.	
AREA	70,290		
Fund	0265		

NAME	Vineyards- Cambridge Homes- Park	Location	W Semillon St & Syrah PL
District	04-03	Turf, shrubs, accent plants, meandering sidewalk, irrigation system	
AREA	77,548		
Fund	0265		

NAME	Vineyards- Cambridge Railroad Frontage	Location	Approx 420 ft south of Fargo Ave to Courtner St
District	04-03	Trees, shrubs, weed control, irrigation system.	
AREA	19,929		
Fund	0265		

NAME	Copper Valley	Location	Fargo Ave/12th Ave/Saneiovese St
District	05-02	Turf, trees, shrubs, accent plants, ivy on the wall; two entryway medians with trees, accent plants; meandering and straight sidewalks; irrigation system.	
AREA	44,126		
Fund	0268		

NAME	Victory Estates	Location	University St and Berkshire St
District	09-01	Trees, shrubs, accent plants, ivy on the wall; straight sidewalks, irrigation system	
AREA	7,077		
Fund	0270		

NAME	Cielo En Tierra	Location	W Fargo Ave
District	92-02	Turf, accent plants, vines, palms, hedges, ground covers; irrigation system; meandering sidewalk.	
AREA	11,735		
Fund	0246		

NAME	Pacific Grove Frontage	Location	W. Grangeville Blvd and Fitzgerald Ln
District	01-01	Turf, ground cover, shrubs, trees, automatic spray-type irrigation, meandering sidewalk.	
AREA	8,622		
Fund	0257		

NAME	Pacific Grove Basin Frontage	Location	W. Grangeville Blvd and Fitzgerald Ln
District	01-01	Ground cover, shrubs, trees, automatic spray-type irrigation, frontage sidewalk. All hedges to be maintained to a height no greater than 5 feet.	
AREA	3,530		
Fund	0257		

NAME	LeParc Frontage	Location	Fargo Ave and Glacier Way
District	03-01	Turf, accent plants, shrubs, trees, irrigation, meandering sidewalk. Small entryway median with trees and accent plants.	
AREA	8,770		
Fund	0262		

NAME	LeParc Railroad Frontage	Location	Railroad frontage S of Fargo
District	03-01	Trees, shrubs, irrigation system.	
AREA	21,858		
Fund	0262		

NAME	Pacific Grove 2	Location	12 th Ave & Bristol, Bristol & Pleasnt Wy
District	19-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	12,152		
Fund	0279		

Quadrant 3

NAME	Silver Oaks Frontage	Location	W. Grangeville Blvd. Vintage Ave. and Centennial Dr
District	01-04	Turf, accent plants, ground cover, trees, shrubs, irrigation system, meandering sidewalk; entry islands. The interior streetscape is part of the total square footage and similar to the frontage; the area includes a portion of Centennial Dr.	
AREA	95,556		
Fund	0260		

NAME	Silver Oaks Addition	Location	Centennial Dr and Berkshire Ln.
District	15-01	Turf, accent plants, ground cover, trees, shrubs, irrigation system, meandering sidewalk; entry island.	
AREA	29,985		
Fund	0274		

NAME	Silver Oaks Park	Location	Birshire W of Centennial
District	15-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	112,971		
Fund	0274		

NAME	Woodside	Location	Centennial & Grangeville
District	16-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	16,628		
Fund	0276		

NAME	Bella Vista Park	Location	Elizabeth Dr & Vineyard Ct
District	18-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	96,460		
Fund	0278		

NAME	Bella Vista Frontage	Location	Napa Dr, Sanjovesse St, Centennial Dr
District	18-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	62,285		
Fund	0278		

NAME	Bonnaterra Frontage	Location	Fargo Ave, Centennial Dr, Devon St
District	18-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	70,200		
Fund	0278		

NAME	Bonnaterra Basin	Location	Van Gogh & Jules: Dali Wy & Elizabeth Dr
District	18-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	8,281		
Fund	0278		

NAME	Bonnaterra Park	Location	Sanjovese St & Napa Dr
District	18-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system, and trash/ litter abatement.	
AREA	113,950		
Fund	0278		

NAME	Woodside II	Location	
District	20-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system	
AREA	54,550		
Fund	0281		

NAME	Woodside II Park	Location	
District	20-01	Turf, trees, shrubs, accent plants, meandering and straight sidewalks, irrigation system, and trash/ litter abatement.	
AREA	88,862		
Fund	0281		

Quadrant 4

NAME	Hyde park	Location	Hanford Armona Rd E of 12th Ave
District	90-04	Accent plants and Shrubs, trees, sidewalk and irrigation system	
AREA	1,425		
Fund	0243		

NAME	Sierra Vista/New Dimensions	Location	W. Hanford-Armona Rd & S 11th Ave
District	91-01	Accent plants, shrubs, hedges, trees; irrigation system; frontage sidewalk. All hedges are to be maintained to a height no greater than 5 feet.	
AREA	12,974		
Fund	0244		

NAME	Walnut Forest Frontage	Location	W Hume Ave
District	93-02	Native plants and ground covers, trees; irrigation system; frontage sidewalk.	
AREA	12,100		
Fund	0248		

NAME	Walnut Forest Slough Frontage	Location	Payne Dr
District	93-02	Shrubs, hedges, trees, curb and gutter walk, irrigation system	
AREA	4,920		
Fund	0248		

NAME	Rosewood Estates	Location	W. Grangeville Blvd
District	97-01	Ground covers, shrubs, trees; automatic spray-type irrigation; frontage sidewalk.	
AREA	6,300		
Fund	0252		

NAME	Country Crossing	Location	W. Lacey Blvd and Centennial Dr
District	97-03	Turf, ground cover, trees, shrubs, irrigation system, meandering sidewalk, median.	
AREA	46,415		
Fund	0254		

NAME	Mountain View Estates	Location	S. 11th Ave at Houston Ave
District	98-02	Ground cover, shrubs, trees, irrigation system, frontage, meandering sidewalk.	
AREA	30,991		
Fund	0256		

NAME	Ashton Park	Location	(N. 12th Ave between Lacey and Grangeville Blvd)
District	02-01	Turf, accent plants, ground cover, trees, shrubs, irrigation system; entry island. The interior streetscape is part of the total footage and similar to the frontage; the area includes a portion of Centennial Drive	
AREA	63,922		
Fund	0261		

NAME	Sidonia	Location	Hume Ave
District	04-01	Accent plants, ground cover, trees, shrubs, ivy on the wall, meandering sidewalk, irrigation system	
AREA	21,533		
Fund	0263		

NAME	Independence Frontage	Location	12th Ave & Greenfield St

District	09-02	Turf, accent plants, trees, shrubs, meandering, sidewalk, irrigation system.
AREA	33,197	
Fund	0271	

NAME	Independence Park	Location	Hayward Ave & Cerritos Ave
District	09-02	Turf, shrubs, accent plants, meandering sidewalk, automatic irrigation, rotor and pop-up type heads.	
AREA	23,055		
Fund	0271		

NAME	Independence II	Location	12th Ave & Centennial Dr
District	14-01	Turf, accent plants, trees, shrubs, meandering, sidewalk, irrigation system.	
AREA	46,729		
Fund	0273		

NAME	Independence II	Location	12th Ave & Centennial Dr
District	14-01	Turf, accent plants, trees, shrubs, meandering, sidewalk, irrigation system.	
AREA	76,555		
Fund	0273		

NAME	Greenbrier	Location	Hanford Armona Rd & Greenbrier: 12 Ave
District	07-02A	Accent plants, trees, shrubs, meandering, sidewalk, irrigation system.	
AREA	5,808		
Fund	0272		

NAME	Mynderup	Location	Hume Ave & 12th Ave
District	16-02	accent plants, trees, shrubs, meandering, sidewalk, irrigation system.	
AREA	43,245		
Fund	0277		

NAME	Mynderup Basin	Location	Sidona St & Acres Wy
District	16-02	accent plants, trees, shrubs, meandering, sidewalk, irrigation system.	
AREA	17,750		
Fund	0277		

QUADRANT 1			
DISTRICT	LOCATION	S/F	PRICE
90-01	Pinecastle	67,750	$1,138.20
92-01	Portofino	19,167	$322.01
94-01	Gateway Estates	2,725	$45.78
94-01	Gateways Estates Basin	5,460	$91.73
97-02	Summerfield	4,650	$78.12
98-01	Crystal Springs	14,435	$242.51
04-04	Sierra Heights	13,470	$226.30
04-04	Sierra Heights Basini	2,577	$43.29
05-01	Mission Park Frontage	2,393	$40.20
05-01	Mission Park Basin	3,125	$52.50
15-02	The Greens II	16,416	$275.79
94-03	Quail Run Estates Frontage	20,583	$345.79
94-03	Quail Run Estates Park	29,494	$495.50
94-03	Quail Run Estates Basin	56,469	$948.68
01-03	Poppy Hills	11,782	$197.94
06-01	Quail Park Frontage	52,950	$889.56
06-01	Quail Park Railroad Frontage	34,140	$573.55
94-02	Stonecrest Frontage	67,875	$1,140.30
94-02	Stonecrest/Glacier Park	54,450	$914.76
94-02	Stonecrest Railroad Frontage	51,578	$866.51
	TOTAL SQUARE FEET	531,489	
		TOTAL QUADRANT 4	$8,929.02

QUADRANT 2			
DISTRICT	LOCATION	S/F	PRICE
90-02	Park Monterey	8,625	$144.90
90-03	Mansionette	16,425	$275.94
01-02	Cambridge Homes Frontage	12,435	$208.91
01-02	Cambridge Homes Railroad Frontage	22,790	$382.87
04-02	Majesty/Cambridge Homes Frontage	55,384	$930.45
04-02	Majesty/Cambridge Homes Basin Frontage	8,440	$141.79
93-01	Vintage Estates	16,980	$285.26
04-03	Vineyards-Cambridge Homes Frontage	70,290	$1,180.87
04-03	Vineyards-Cambridge Homes Park	77,548	$1,302.81
04-03	Vineyeards-Cambridge Railroad Frontage	19,929	$334.81
05-02	Copper Valley	44,126	$741.32
09-01	Victory Estates	7,077	$118.89
92-02	Cielo En Tierra	11,735	$197.15
01-01	Pacific Grove Frontage	8,622	$144.85
01-01	Pacific Grove Basin Frontage	3,530	$59.30
03-01	LeParc Frontage	8,770	$147.34
03-01	LeParc Railroad Frontage	21,858	$367.21
19-01	Pacific Grove 2	12,152	$204.15
	TOTAL SQUARE FEET	426,716	
		TOTAL PRICE QUADRANT 2	$7,168.83

QUADRANT 3			
DISTRICT	LOCATION	S/F	PRICE
01-04	Silver Oaks Frontage	95,556	1,605.34
15-01	Silver Oaks Addition	29,985	503.75
15-01	Silver Oaks Park	112,971	1,897.91
16-01	Woodside	16,628	279.35
18-01	Bella Vista Park	96,460	1,620.53
18-01	Bella Vista Frontage	62,285	1,046.39
18-01	Bonnaterra Frontage	70,200	1,179.36
18-01	Bonnaterra Basin	8,281	139.12
18-01	Bonnaterra Park	113,950	1,914.36
20-01	Woodside II	54,550	916.44
20-01	Woodside II Park	88,862	1,492.88
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
	TOTAL SQUARE FEET	749,728	
		TOTAL PRICE QUADRANT 2	$12,595.43

QUADRANT 4			
DISTRICT	LOCATION	S/F	PRICE
90-04	Hyde Park	1,425	$22.73
91-01	Sierra Vista/New dimensions	12,974	$206.94
93-02	Walnut Forest Frontage	12,100	$193.00
93-02	Walnut Forest Slough Frontage	4,920	$78.47
97-01	Rosewood Estates	6,300	$100.49
97-03	Country Crossing	46,415	$740.32
98-02	Mountain View Estates	30,991	$494.31
02-01	Ashton Park	63,922	$1,019.56
04-01	Sidonia	21,533	$343.45
09-02	Independence Frontage	33,197	$529.49
09-02	Independence Park	23,055	$367.73
14-01	Independence II	46,729	$745.33
14-01	Independence II	76,555	$1,221.05
07-02A	Greenbrier	5,808	$92.64
16-02	Mynderup	43,245	$689.76
16-02	Mynderup Basin	17,750	$283.11
	TOTAL SQUARE FEET	446,919	
		TOTAL QUADRANT 4	$7,128.36

QUADRANT	LOCATION	CURRENT LEVEL	REVISED LEVEL-2024
Q1	Pinecastle	A	A
	67,750		
	Portifino	D	E
	19,167		
	Gateway Estates	D	F-6
	2,725		
	Gateway Estates Basin	D	F-6
	5,460		
	Summerfield	D	F-6
	4,650		
	Crystal Springs	A	E
	14,435		
	Sierra Heights	A	A
	13,470		
	Sierra Heights Basin	A	A
	2,577		
	Misson Park Frontage	A	A
	2,393		
	Misson Park Basin	A	A
	3,125		
	The Greens II	B	B
	16,416		
	Quail Run Estates Frontage	B	F-6
	20,583		
	Quail Run Estates Park	B	C
	29,494		
	Quail Run Estates Basin Park	B	XXX
	56,469		
	Poppy Hills	A	A
	11,782		
	Quail Park Frontage	B	B
	52,950		
	Quail Park Railroad Frontage	D	D
	34,140		
	Stonecrest Frontage	A	A
	67,875		
	Stonecrest / Glacier Park	A	A
	54,450		
	Stonecrest Railroad Frontage	D	D
	51,578		

Q2	Park Monterey	D	D
	8,625		
	Mansionette	D	F-6
	16,425		
	Cambridge Homes Frontage	A	A
	12,435		
	Cambridge Homes Railroad Frontage	D	D
	22,790		
	Majesty /Cambridge Homes Frontage	A	A
	55,384		
	Majesty /Cambridge Homes Basin Forntage	A	A
	8,440		
	Vintage Estates	A	A
	16,980		
	Vineyards- Cambridge Homes Frontage	B	B
	70,290		
	Vineyards- Cambridge Homes- Park	B	B
	77,548		
	Vineyards- Cambridge Railroad Frontage	D	D
	19,929		
	Copper Valley	A	A
	44,126		
	Victory Estates	A	A
	7,077		
	Cielo En Tierra	D	D
	11,735		
	Pacific Grove Frontage	A	A
	8,622		
	Pacific Grove Basin Frontage	A	A
	3,530		
	LeParc Frontage	A	A
	8,770		
	LeParc Railroad Frontage	D	D
	21,858		
	Pacific Grove 2	A	A
	12,152		
Q3	Silver Oaks Frontage	A	A
	95,556		
	Silver Oaks Addition	A	A
	29,985		
	Silver Oaks Park	A	A
	112,971		
	Woodside	A	A
	16,628		

	Bella Vista Park	A	A
	96,460		
	Bella Vista Frontage	A	A
	62,285		
	Bonnaterra Frontage	A	A
	70,200		
	Bonnaterra Basin	A	A
	8,281		
	Bonnaterra Park	A	A
	113,950		
	Woodside II Ella Garden	A	A
	54,550		
	Woodside II Park Ella Garden	A	A
	88,862		
Q4	Hyde park	B	B
	1,425		
	Sierra Vista/New Dimensions	E	E
	12,974		
	Walnut Forest Frontage	A	C
	12,100		
	Walnut Forest Slough Frontage	A	C
	4,920		
	Rosewood Estates	D	D
	6,300		
	Country Crossing	A	E
	46,415		
	Mountain View Estates	A	A
	30,991		
	Ashton Park	A	A
	63,922		
	Sidonia	A	A
	21,533		
	Independence Frontage	B	B
	33,197		
	Independence Park	B	B
	23,055		
	Independence II	A	A
	46,729		
	Independence II	A	A
	76,555		
	Greenbrier	A	A
	5,808		
	Mynderup	B	B
	43,245		

Mynderup Basin	**B**	**B**
17,750		
Live Oak Frontages	**New**	**A**
Live Oak Park	**New**	**A**

LEGEND	VISITS PER YEAR	LOCATIONS AT THIS LEVEL
A-WEEKLY	52	37
B-WEEKLY 9 MONTHS/1 VISIT 3 MONTHS	42	9
C-EVERY OTHER WEEK ALL YEAR	26	3
D-EVERY OTHER WEEK 9 MONTHS/1 VISITS 3 MONTHS	22	8
E-ONE TIME PER MONTH ALL YEAR	12	4
XXX-UNKNOWN SERVICE DISCONTINUED	?	1
F-6-UNKNOWN SIX VISITS	6	5

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Suggested Routes to School for Hanford Elementary School District, Pioneer Union Elementary School District, and Saint Rose-Thomas McCarthy Catholic School for the 2024-2025 school year.

RECOMMENDATION:

Recommendation: That the City Council receive and file the attached Suggested Routes to School plans for Hanford Elementary School District, Pioneer Union School District, and Saint Rose-Thomas McCarthy Catholic School for the upcoming 2024-2025 school year.

BACKGROUND:

City staff met with the various School/School District staff to discuss the plans and possible changes to the Suggested Routes to School plans for the following Districts and/or respective schools for the upcoming 2024-2025 school year.

1. Hanford School District: Hamilton, King, Lincoln, Monroe, Richmond, Roosevelt, Simas, Washington, Kennedy Jr. High, and Wilson Jr. High;

2. Pioneer Union School District: Pioneer, Frontier, and Pioneer Middle School;

3. Saint Rose-Thomas McCarthy Catholic School.

These plans are required by the State of California of the schools to provide to Hanford Public School Districts to educate students and parents of the suggested routes to schools, and to indicate to students the suggested ways to get from home to school and back home. The plans additionally show the locations of the designated school bus stops for the noted school year.

California's Safe Route to Schools Grants are available to cities to apply for through the Active Transportation Program (ATP). These grants may be used for infrastructure construction projects which encourage and enable students from grades K-8 to safely walk and bike to school. The Suggested Routes to School Plans are a requirement for the ATP grant application. The city and schools both benefit from the preparation and approval of the Suggested Routes to School plans.

Summary of Suggested Routes to School Plan Changes:

1. Hanford School District:
   a. For the upcoming 2024-2025 school year, the school boundaries have changed, and the maps have been updated to reflect each school boundary.

   b. Students will continue to be transferred to Hamilton School and Monroe School.
2. Pioneer Union School District:
   a. For the upcoming 2024-2025 school year, boundaries will remain the same.
3. Saint Rose-Thomas McCarthy Catholic School:
   a. No Changes.

Attached are the maps and written descriptions for each school that describe the elements of each plan.

There is no fiscal impact from this project. Based on input from School District staff, City staff would prepare and provide the plans to the school districts, and the school districts copy and distribute the plans to the parents and students. Since the preparation of these plans is the responsibility of the school district, and due to limited city staff resources, these plans will longer be prepared by City Staff in the future.

ATTACHMENTS:

1. Hanford Elementary School District Maps and Descriptions for the 24-25 school year.
2. Pioneer Union Elementary School District Maps and Descriptions for the 24-25 school year.
3. St Rose-Thomas McCarthy Catholic School Map and Description for the 24-25 school year.

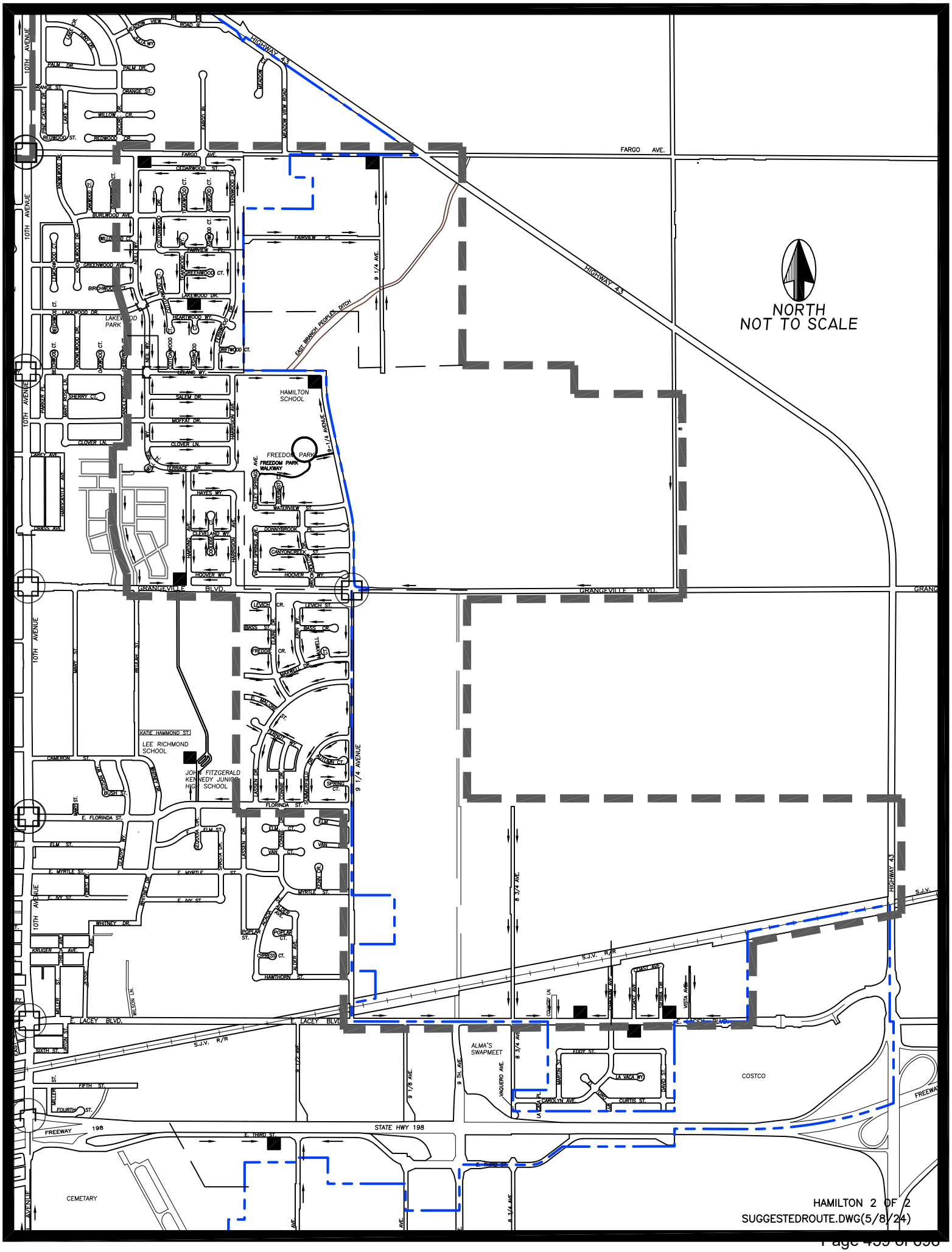
HAMILTON SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



HAMILTON 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

HAMILTON SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, west of Fernwood Drive, north of Fairview Place, and east of Neill Way walk to the bus stop at Fargo Avenue and Neill Way.

2. That the students living south of Fargo Avenue, west of 9 ¼ Avenue, north of Grangeville Boulevard, and east of Fernwood Drive walk to the bus stop at Fargo Avenue and 9 ¼ Avenue.

3. That the students living south of Fairview Place, west of Fernwood Drive, north of Leland Way and east of Neill Way walk to the bus stop at Lakewood Drive east of Teakwood Way.

4. That the students living south of Leland Way, west of 9-1/4 Avenue, north of Terrace Drive, and east of Neill Way walk to Hamilton School.

5. That the students living south of Leland Way, west of 9-1/4 Avenue, north of Grangeville Boulevard, and east of Harrison Avenue walk to Hamilton School.

6. That the students living south of Grangeville Boulevard, west of 9-1/4 Avenue, and north of Florinda Street and east of Lassen Drive walk to the bus stop at Richmond School/Kennedy Jr. High School.

7. That the students living south of Grangeville Boulevard, west of Highway 43, north of Lacey Boulevard, and east of 9-1/4 Avenue walk to the bus stop at Lacey Boulevard, west of Carolyn Avenue.

8. That the students living south of Grangeville Boulevard, west of Highway 43, north of Lacey Boulevard, and east of Carolyn Avenue walk to the bus stop at Lacey Boulevard east of Sierra Avenue.

9. That the students living south of Terrace Drive, west of Harrison Avenue, north of Grangeville Boulevard, and east of Neil Way walk to the bus stop at Grangeville Blvd and Harding Ave.

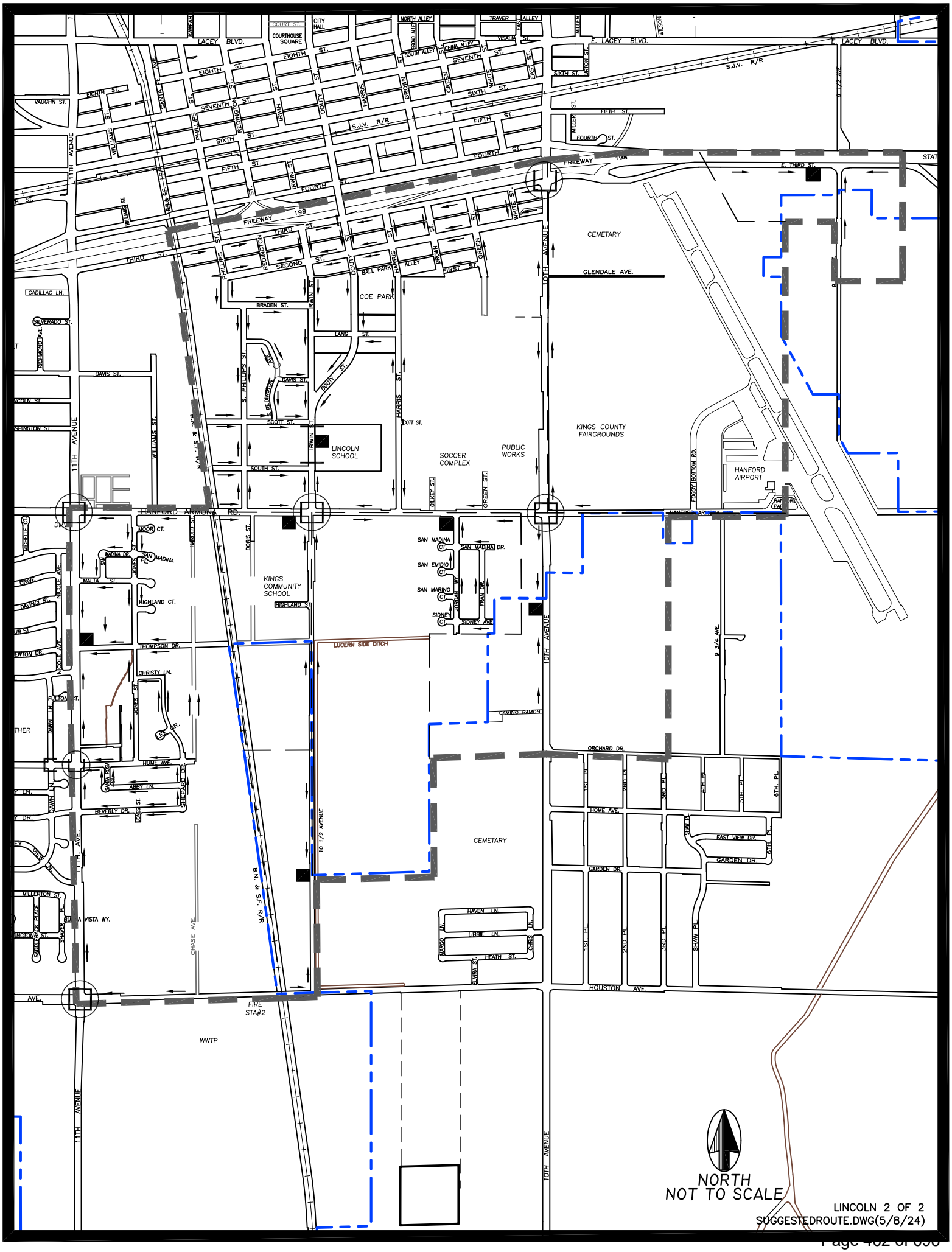
LINCOLN SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



LINCOLN 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

LINCOLN SCHOOL

Suggested Routes to School The

key elements of this plan are as follows:

1. That the students living south of Freeway 198, west of 10th Avenue, north of Hanford-Armona Road, and east of Santa Fe Railroad tracks walk to Lincoln School.

2. That the students living south of Freeway 198, west of 9-1/2 Avenue, north of Hanford- Armona Road, and east of 10th Avenue walk to the bus stop at Third Street and 9-1/2 Avenue.

3. That the students living south of Hanford-Armona Road, west of Santa Fe Railroad tracks, north of Houston Ave, and east of 11th Avenue walk to the bus stop at 11th Avenue and Thompson Drive.

4. That the students living south of extension of Hanford-Armona Road, west of 10-1/2 Avenue, north of Houston, and east of Santa Fe Railroad tracks walk to the bus stop at Hanford-Armona Road and 10-1/2 Avenue and the bus stop on 10-1/2 Avenue north of Houston Avenue.

5. That the students living south of Hanford-Armona Road, west of Foggy Bottom Road, north of Orchard Drive, and east of 10-1/2 Avenue walk to the bus stop at Hanford-Armona Road and Jordan Way and the bus stop on 10th Avenue south of Hanford-Armona Road at Bakery on 10th Avenue.

MARTIN LUTHER KING JR. SCHOOL

SUGGESTED ROUTE PLAN

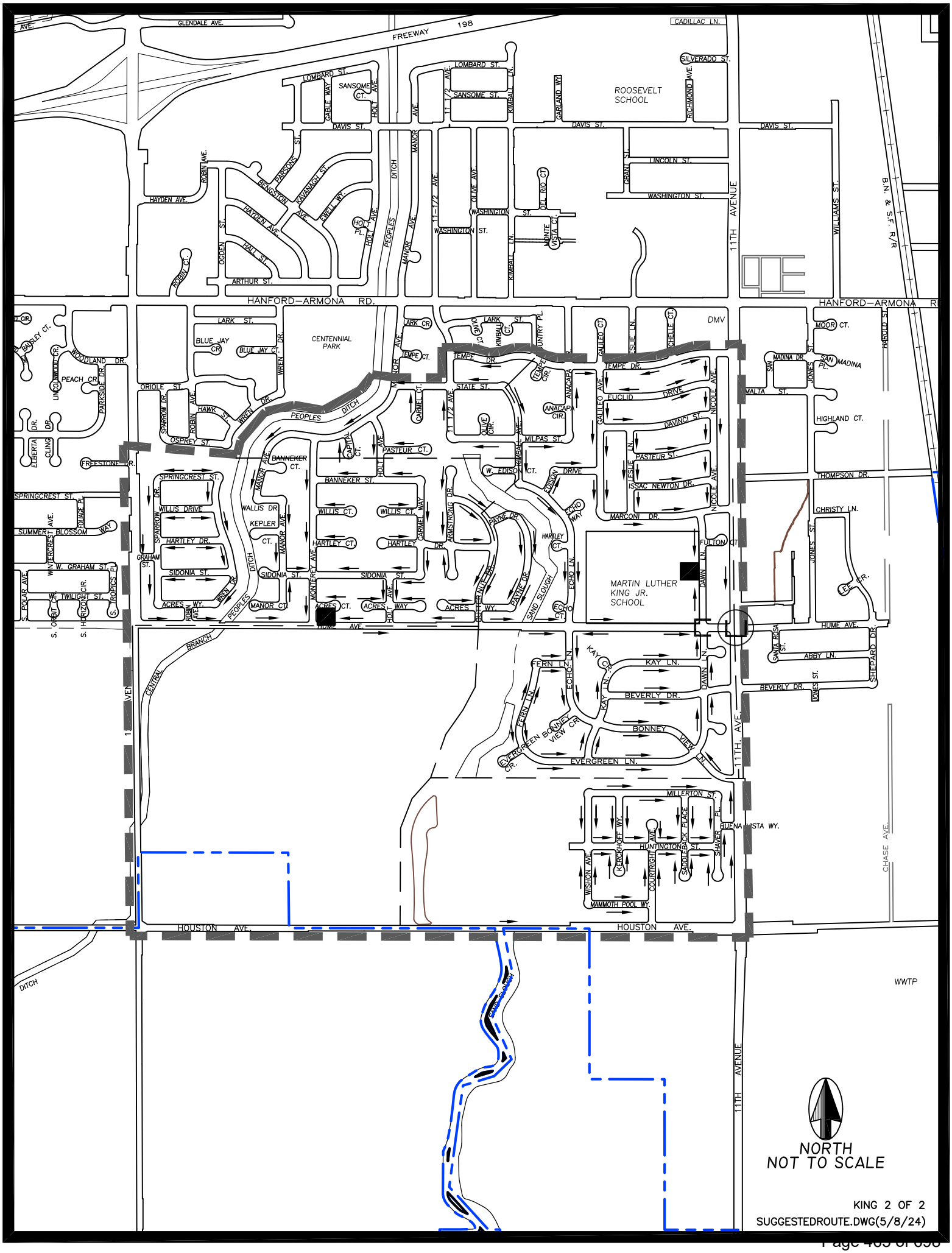
PAGE 1 OF 2

2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)


GLENDALE AVE.
FREEWAY 198
CADILLAC LN.
LOMBARD ST.
SANSOME CT.
SANSOME ST.
SILVERADO ST.
ROOSEVELT SCHOOL
DAVIS ST.
LINCOLN ST.
WASHINGTON ST.
11TH AVENUE
B.N. & S.F. R/R
HANFORD–ARMONA RD.
DMV
CENTENNIAL PARK
PEOPLES DITCH
MARTIN LUTHER KING JR. SCHOOL
HUME AVE.
HOUSTON AVE.
CHASE AVE.
WWTP
NORTH
NOT TO SCALE
KING 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

MARTIN LUTHER KING JR. SCHOOL

Suggested Routes to School

The key elements of this plan are as follows:

1. That the students living south of Hanford-Armona Road, west of the extension of Country Place/Kimball Avenue, north of Banneker Street/Edison Court, and east of and including Manor Avenue, walk to the bus stop at Hume Ave and Monterey Ave.

2. That the students living south of Banneker Street, west of Butternut Drive, north of Hume Avenue, and east of 12th Avenue walk to the bus stop at Hume Avenue and Monterey Avenue.

3. That the students living south of Hanford-Armona Road, west of 11th Avenue, north of Millerton Street, and east of the extension of Butternut Drive/Kimball Avenue/Country Place walk to King School.

4. That the students living south of Millerton Street, west of 11th Avenue, north of Houston Avenue, and east of the extension of Butternut Drive/Kimball Avenue/Country Place walk to King School.

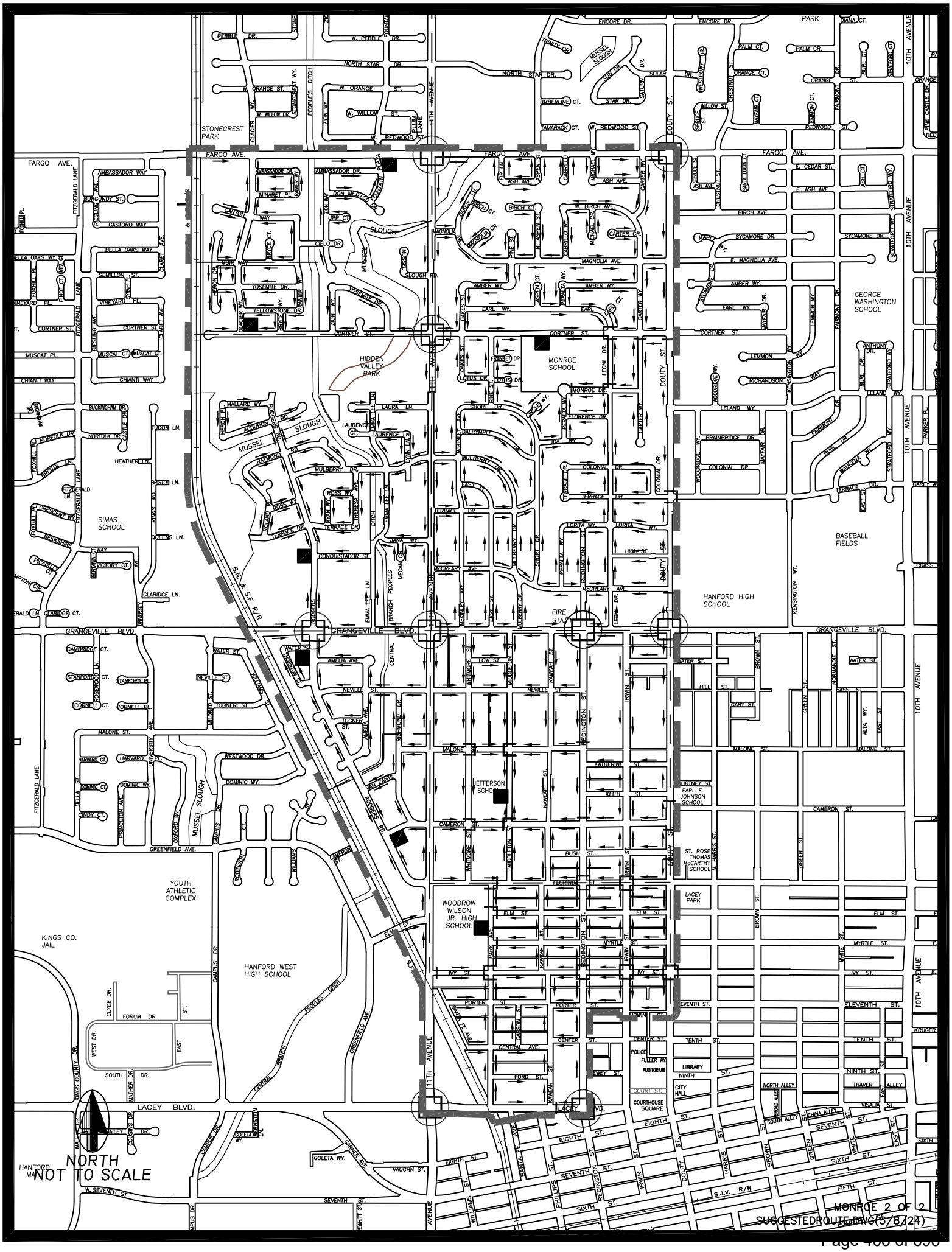
MONROE SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 0F 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



MONROE 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

MONROE SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, west of 11th Avenue, north of Mussel Slough, west of Mussel Slough, north of Yosemite Drive, and east of Santa Fe Railroad tracks walk to the bus stop at Fargo Avenue and Fountain Plaza Drive.

2. That the students living south of Mussel Slough, west of 11th Avenue, north of Cortner Street, east of Santa Fe Railroad tracks, south of Muir Way and east of Mussel Slough walk to the bus stop on Glacier Way and Cortner Street.

3. That the students living south of Fargo Ave, west of Douty Street, north of Grangeville Boulevard, and east of 11th Avenue walk to Monroe School.

4. That the students living south of Cortner Street, west of 11th Avenue, north of Grangeville Boulevard, and east of Santa Fe Railroad tracks walk to the bus stop at Rodgers Road and Conquistador Street.

5. That the students living south of Grangeville Boulevard, west of 11th Avenue, north of Van Zate Street/ Central Branch Peoples Ditch, and east of Santa Fe Railroad tracks walk to the bus stop at Rodgers Road and Water Street and the bus stop at Rodgers Road and south of Water Street.

6. That the students living south of Grangeville Boulevard, west of Douty Street, north of Florinda Street, and east of 11th Avenue walk to the bus stop at Jefferson School.

7. That the students living south of Florinda Street, west of Douty Street, north of Highway 198, and east of 11th Avenue walk to the bus stop at Woodrow Wilson School.

8. That the students living south of Van Zate Street/ Central Branch Peoples Ditch , west of 11th Avenue, north of Ivy Street, and east of Santa Fe Railroad tracks walk to the bus stop at Rodgers Road and Water Street and the bus stop at Rodgers Road and Cameron Street.

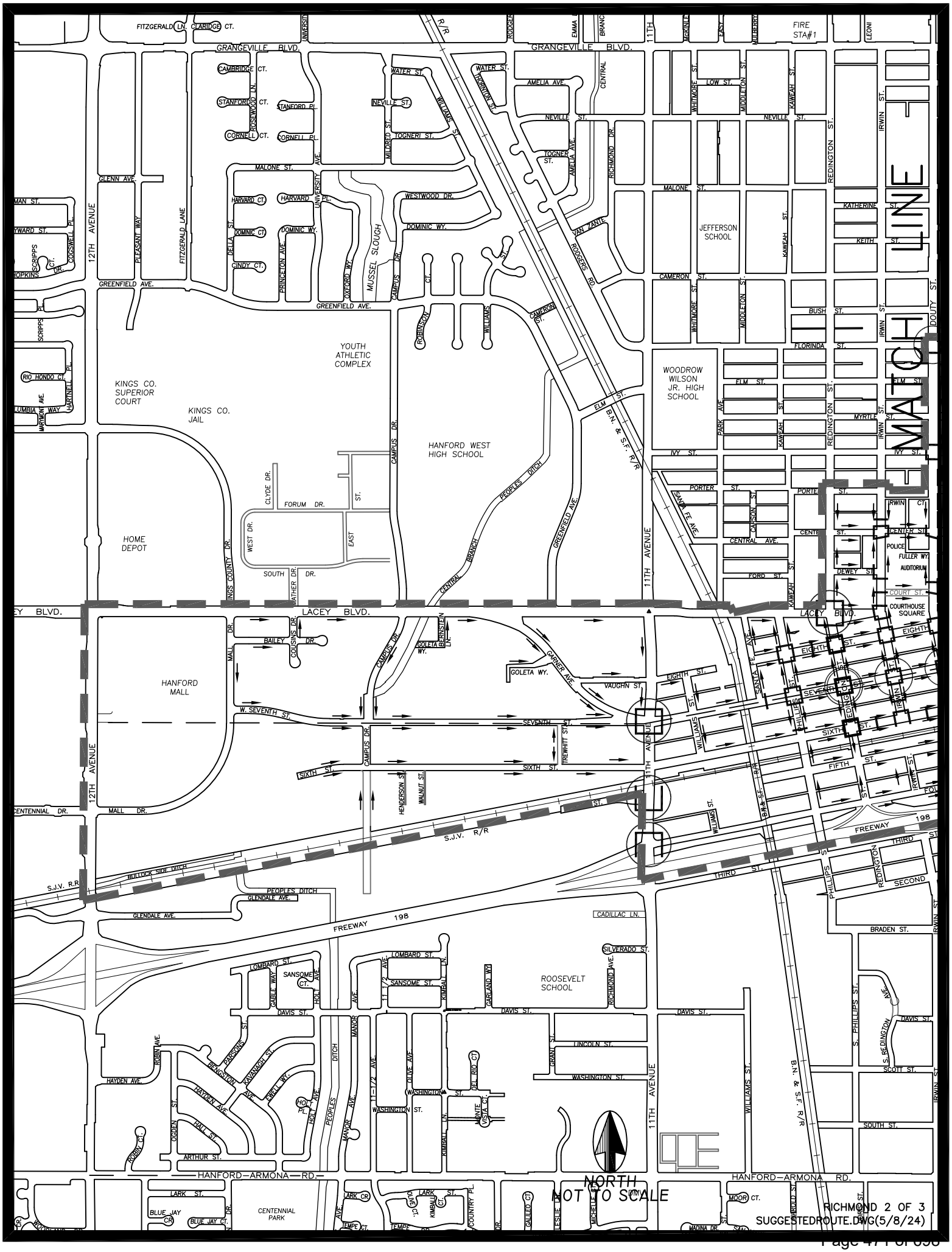
LEE RICHMOND SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 3
2024-2025 SCHOOL YEAR

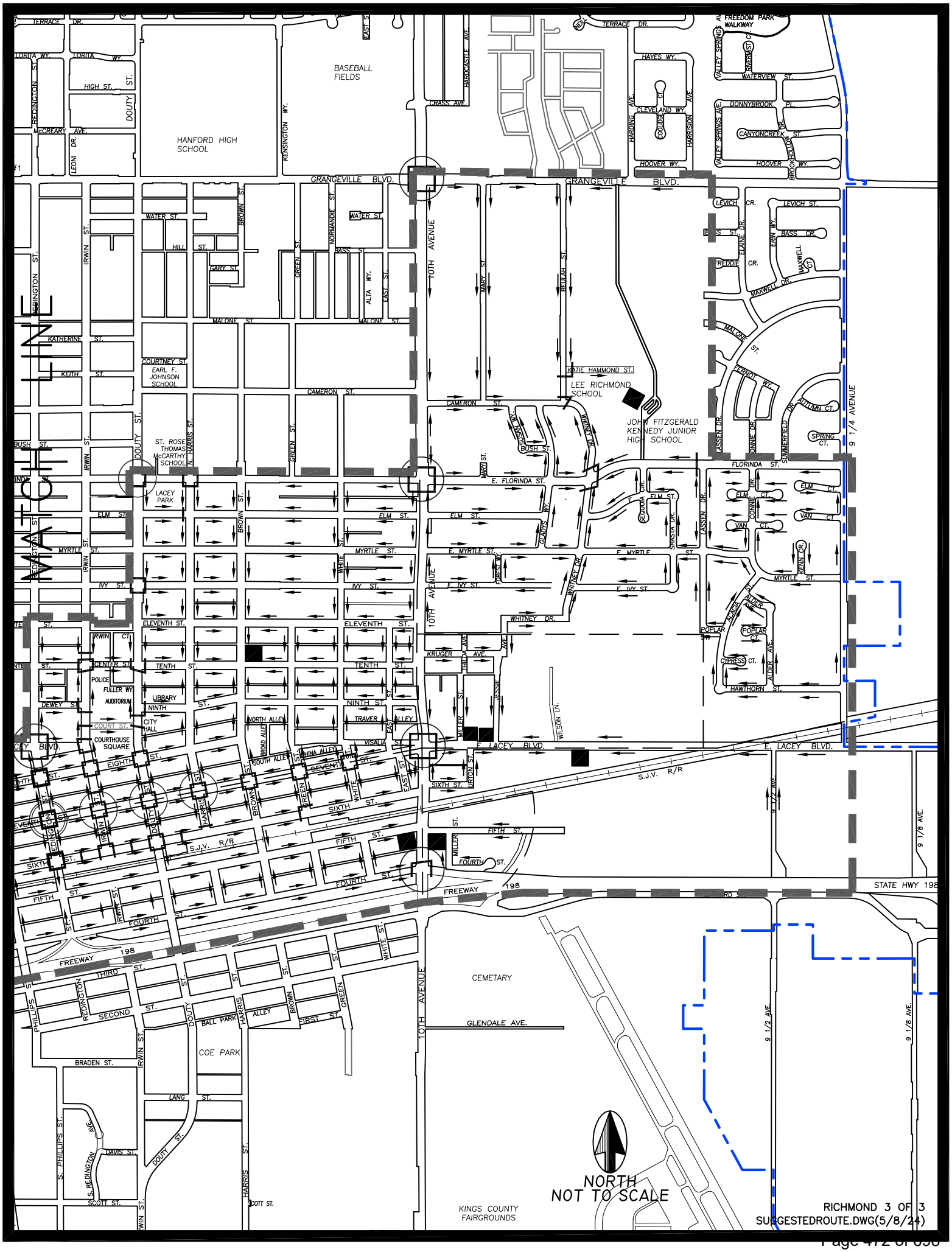
LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



RICHMOND 2 OF 3
SUGGESTEDROUTE.DWG(5/8/24)



RICHMOND 3 OF 3
SUGGESTEDROUTE.DWG(5/8/24)

RICHMOND SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Grangeville Boulevard, west of 9¼ Avenue, north of San Joaquin Valley Railroad tracks, east of Lassen Drive, north of Kruger Avenue, and east of 10th Avenue walk to Richmond School.

2. That the students living south of Kruger Avenue, west of Lassen Drive, north of Lacey Boulevard, and east of 10th Avenue walk to the bus stop at Lacey Boulevard and Jessie Street for pick-up and Lacey Boulevard and Miller Street for drop-off.

3. That the students living south of Lacey Boulevard, west of 9¼ Avenue, north of Freeway 198, east of Peoples Ditch, north of San Joaquin Valley Railroad tracks, and east of 10th Avenue walk to the bus stop at Lacey Boulevard and Lacey Inn.

4. That the students living south of San Joaquin Valley Railroad tracks, west of Peoples Ditch, north of Freeway 198, and east of 10th Avenue walk to the bus stop at 10th Avenue and Fifth Street.

5. That the students living south of Florinda Street, west of 10th Avenue, north of Seventh Street, and east of Redington Street, south of Lacey Blvd and east of 12th Ave walk to the bus stop at Tenth Street and Brown Street.

6. That the students living south of Seventh Street, west of 10th Avenue, north of Freeway 198, and east of 11th Ave, north of San Juaquin Valley Railroad tracks and east of 12th Ave walk to the bus stop at 10th Avenue and Fifth Street.

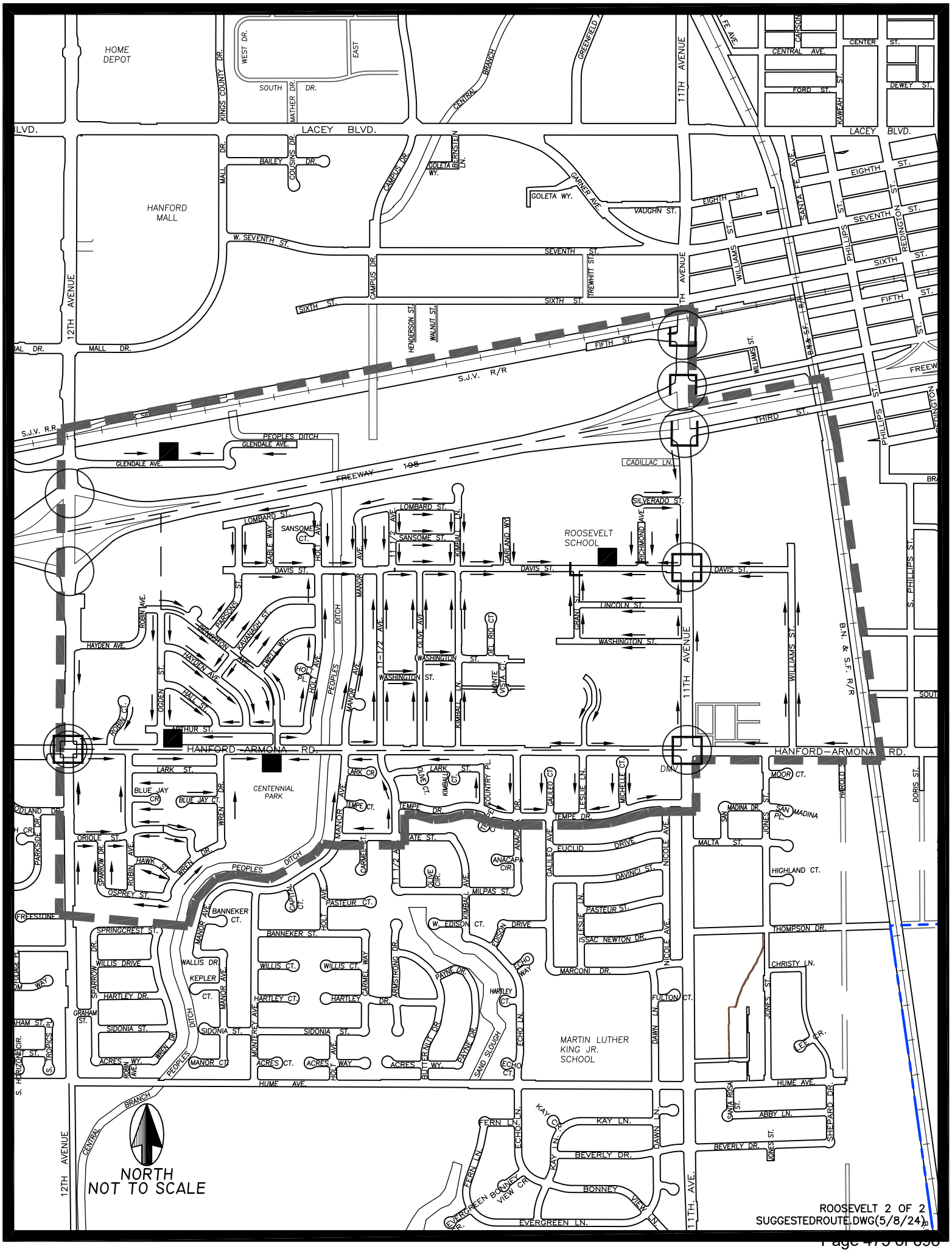
ROOSEVELT SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



ROOSEVELT 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

ROOSEVELT SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Freeway 198, west of Bengston Avenue, north of Hanford-Armona Road and east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Ogden Street.

2. That the students living south of Freeway 198, west of 11th Avenue north of Hanford-Armona Road, and east of Bengston Avenue walk to Roosevelt School.

3. That the students living south of Freeway 198, west of Santa Fe Railroad tracks, north of Hanford-Armona Road, and east of 11th Avenue walk to Roosevelt School.

4. That the students living south of Hanford-Armona Road, west of Peoples Ditch/Centennial Park, north of Osprey Street, and east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Centennial Park.

5. That the students living south of Hanford-Armona Road, west of 11th Ave, north of Tempe Drive west of 11th Ave, and east of Peoples Ditch/ Centennial Park walk to the bus stop at Hanford-Armona Road and Centennial Park.

6. That the students living south of Santa Fe Railroad tracks, west of 11th Avenue, north of Freeway 198 and east of 12th Avenue walk to the bus stop at 12th Ave and Glendale Ave.

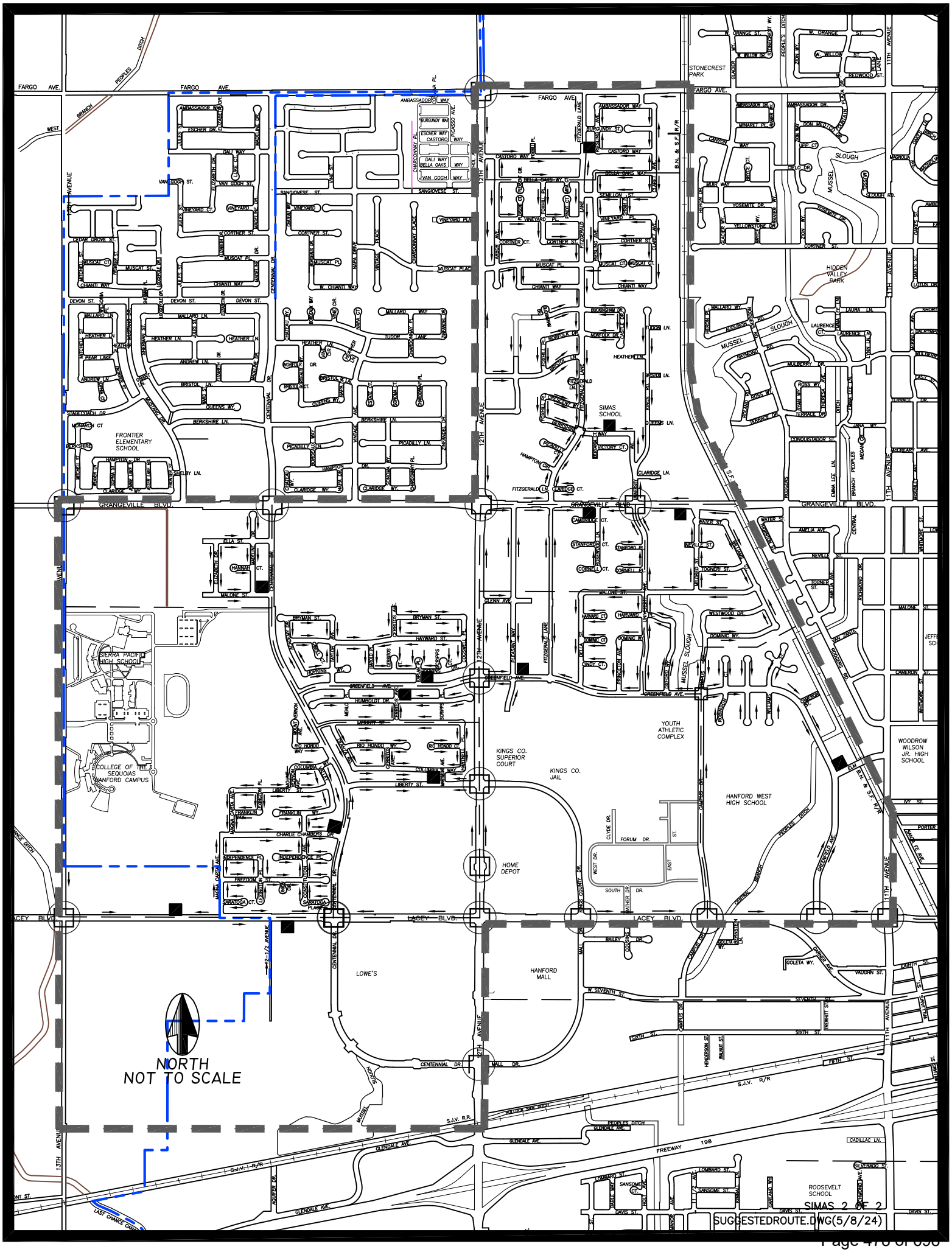
SIMAS SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



SIMAS 2 OF 2

SUGGESTEDROUTE.DWG(5/8/24)

SIMAS SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, west of Santa Fe Railroad tracks, north of Bella Oaks Way, and east of 12th Avenue walk to the bus stop on Fitzgerald Lane and Castoro Way.

2. That the students living south of Bella Oaks Way, west of Santa Fe Railroad tracks, north of Grangeville Boulevard, and east of 12th Avenue walk to Simas School.

3. That the students living south of Malone Street, west of Centennial Drive, north of Lacey Boulevard, and east of 13th Avenue walk to the bus stop at Centennial Drive and Charlie Chambers Drive.

4. That the students living south of Lacey Boulevard, west of Centennial Drive, north of the San Joaquin Valley Railroad tracks and east of 13th Avenue walk to the bus stop at Lacey Boulevard and Hofman's Nursery.

5. That the students living south of Merritt Street, west of 12th Avenue, north of Lacey Boulevard, and east of Centennial Drive walk to the bus stop at Liberty Street and Marymont Avenue.

6. That the students living south of Grangeville Boulevard, west of 12th Avenue, north of Greenfield Avenue, and east of Centennial Drive walk to the bus stop at Greenfield Avenue and Kaplin Place.

7. That the students living south of Grangeville Boulevard, west of Centennial Drive, north of Bryman Street, east of 13th Ave. walk to the bus stop at Malone Street and Centennial Boulevard.

8. That the students living south of Greenfield Avenue, west of 12th Avenue, north of Merritt Street, and east of Centennial Drive walk to the bus stop at Greenfield Avenue and Cerritos Avenue.

9. That the students living south of Grangeville Boulevard, west of University Avenue, north of Glenn Avenue, and east of 12th Avenue walk to the bus stop at Grangeville Boulevard and Rosewood Lane.

10. That the students living east of 12th Avenue, south of Glenn Avenue, west of University Avenue, and north of Greenfield Avenue walk to the bus stop at Greenfield Avenue east of Pleasant Way.

11. That the students living south of Grangeville Boulevard, west of Santa Fe Railroad tracks, north of Dominic Way, west of Campus Drive, north of Greenfield Avenue, and east of University Avenue walk to the bus stop at Grangeville Boulevard and Mildred Street.

Simas School, Suggested Route to School, continued

12. That the students living south of Dominic Way, west of Santa Fe Railroad tracks and 11th Avenue, north of Lacey Boulevard, and east of Campus Drive walk to the bus stop at Elm Street and Greenfield Avenue.

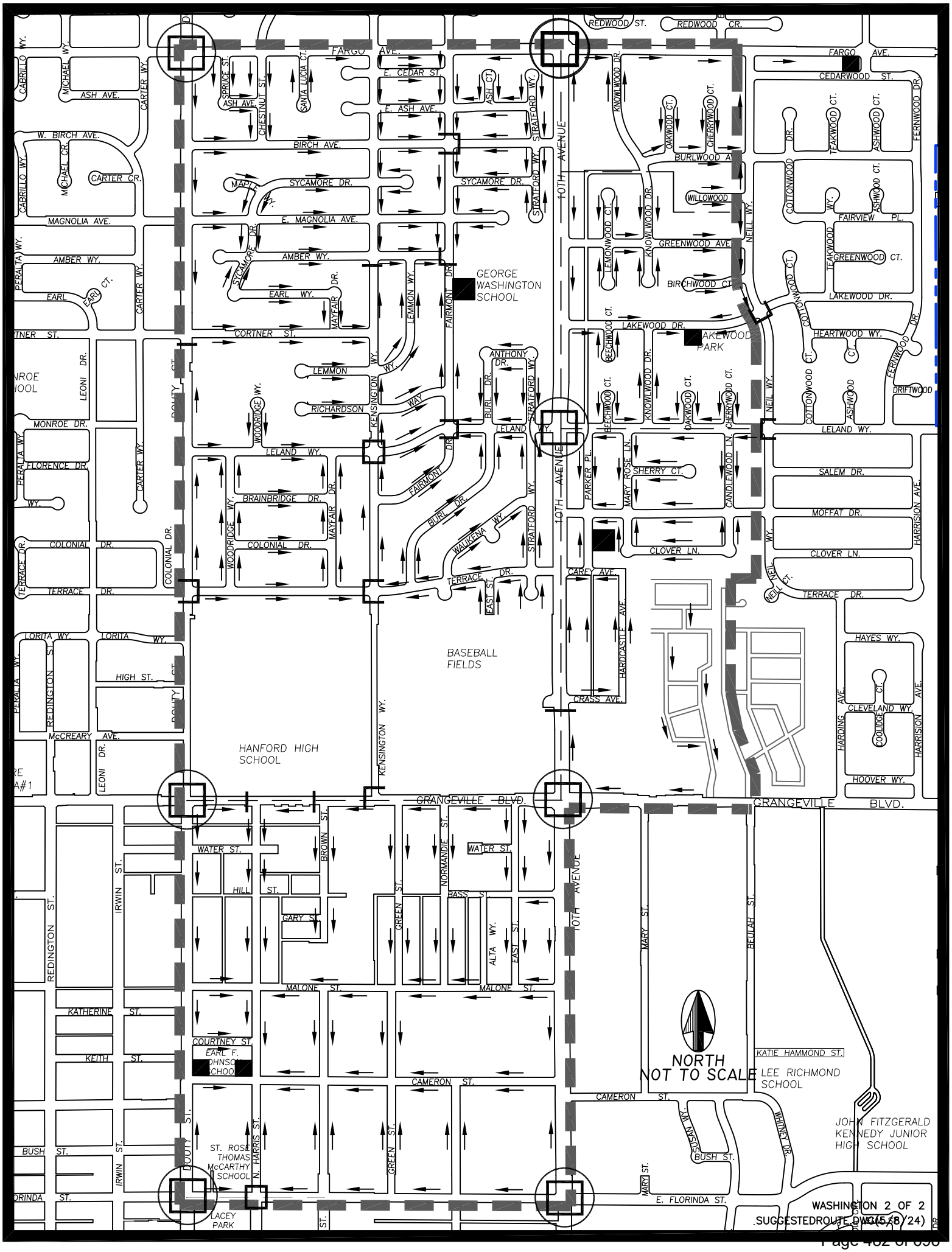
WASHINGTON SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



WASHINGTON 2 OF 2
SUGGESTEDROUTE.DWG(5/28/24)

WASHINGTON SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

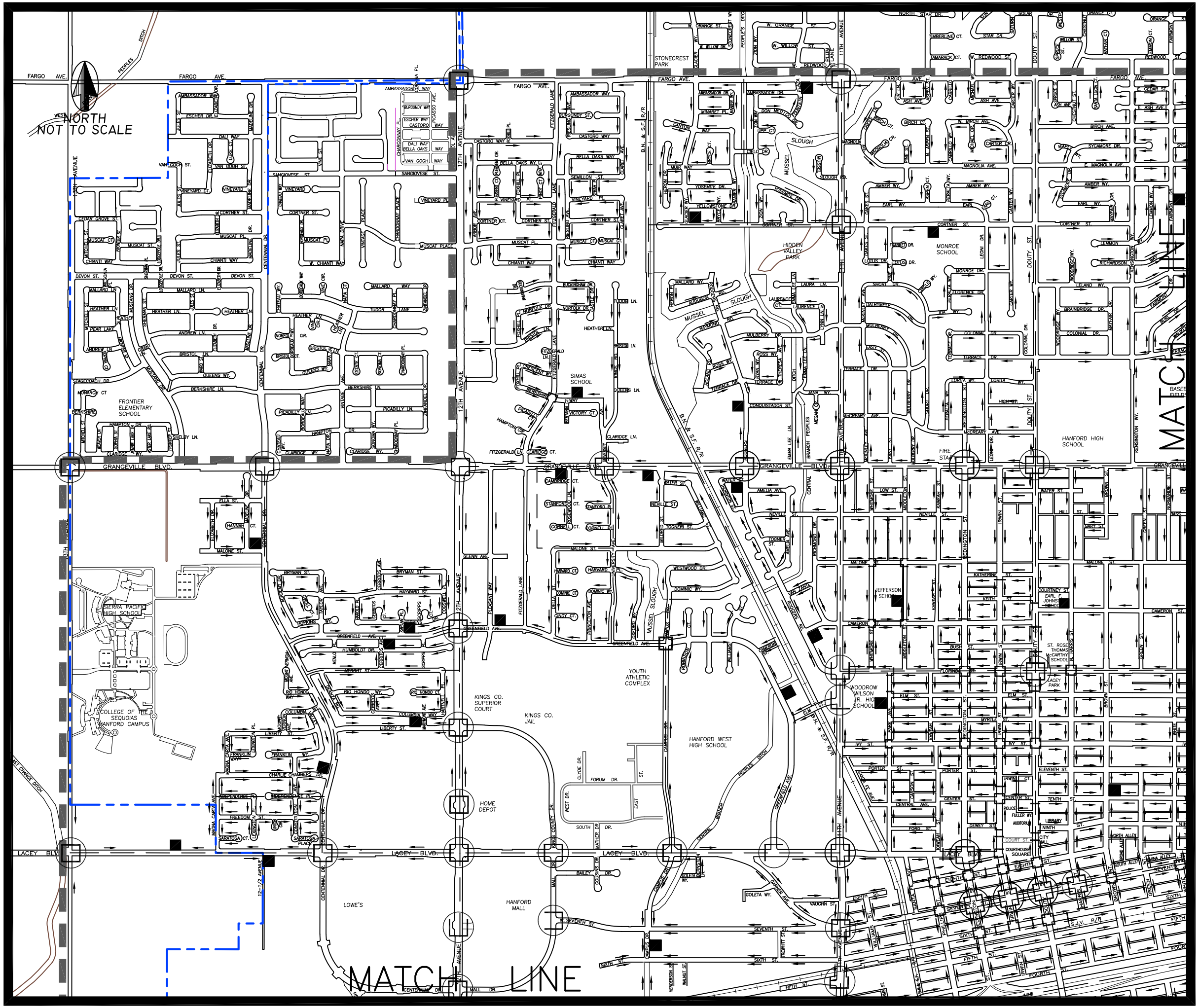
1. That the students living south of Fargo Avenue, west of 10th Avenue, north of Grangeville Boulevard, and east of Douty Street walk to Washington School.

2. That students living south of Fargo Avenue, west of Neill Way, north of Willowood Court, and east of 10th Avenue walk to the bus stop at Fargo Avenue and Cedarwood Street.

3. That the students living south of Willowood Court, west of Neill Way, north of Leland Way, and east of 10th Avenue walk to the bus stop on Lakewood Drive west of Knowlwood Drive.

4. That the students living south of Leland Way, west of Neill Way, north of Grangeville Boulevard, and east of 10th Avenue walk to the bus stop at Parker Place and Moffat Drive.

5. That the students living south of Grangeville Boulevard, west of 10th Avenue, north of Florinda Street, and east of Douty Street walk to the bus stop at Harris Street and Cameron Street for pick-up and Douty Street and Cameron Street for drop-off.



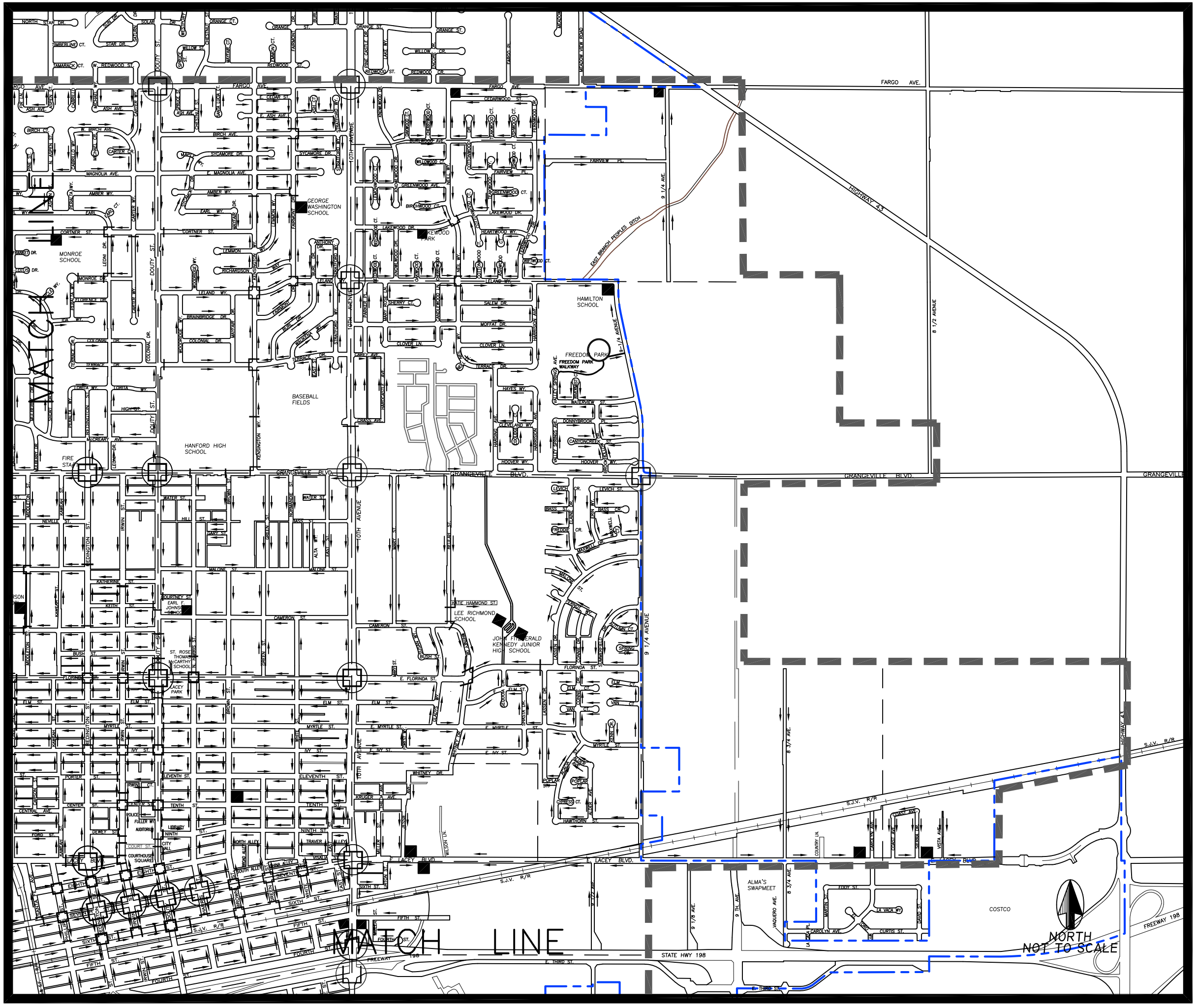
JEFFERSON SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 3
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

JEFFERSON 1 OF 3
SUGGESTEDROUTE.DWG(5/8/24)



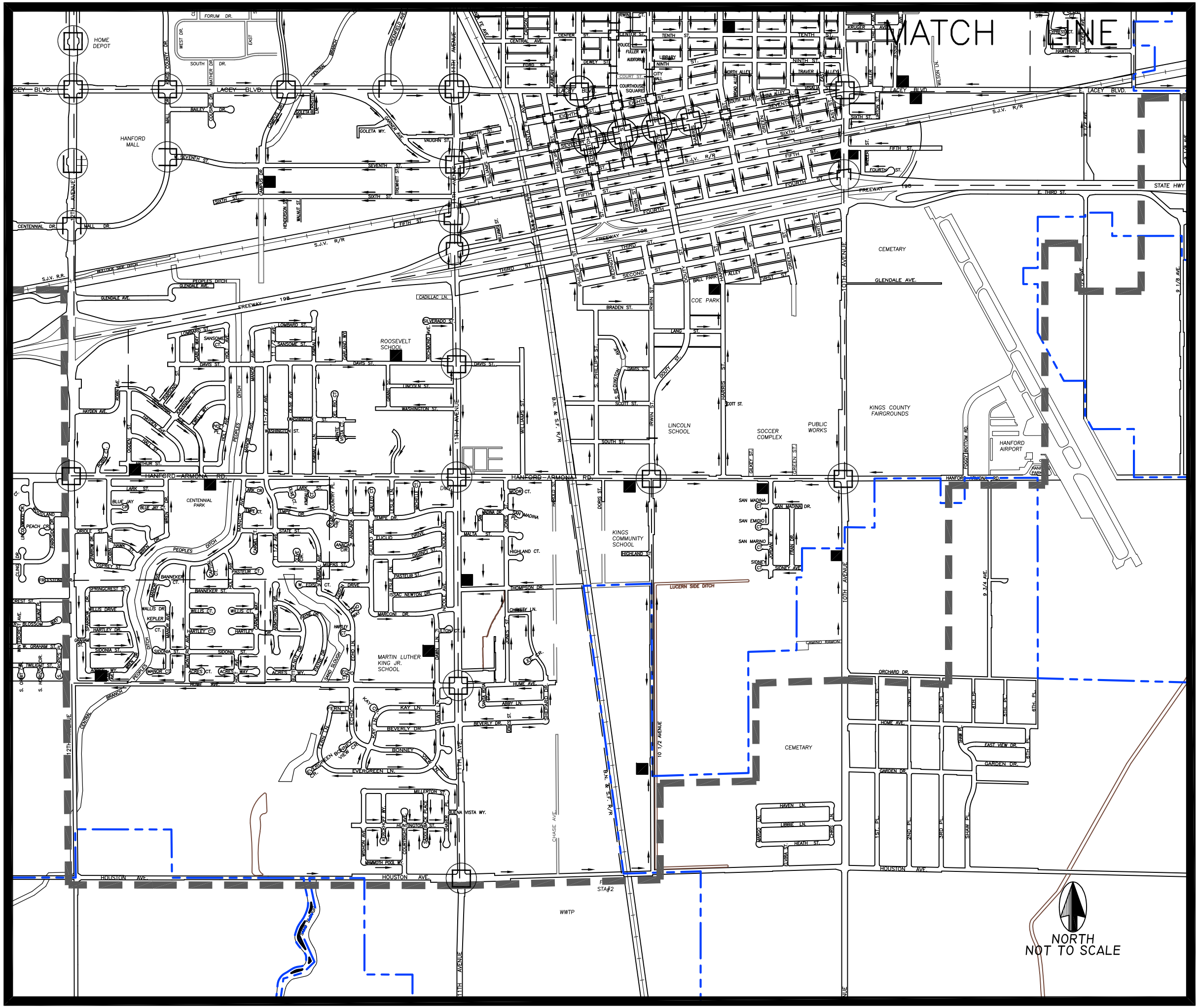
JEFFERSON SCHOOL

SUGGESTED ROUTE PLAN
PAGE 2 OF 3
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

JEFFERSON 2 OF 3
SUGGESTEDROUTE.DWG(5/8/24)



JEFFERSON SCHOOL

SUGGESTED ROUTE PLAN
PAGE 3 OF 3
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

JEFFERSON 3 OF 3
SUGGESTEDROUTE.DWG(5/8/24)

JEFFERSON SCHOOL
Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, east of 12th Avenue, west of Santa Fe Railroad tracks, north of Grangeville Boulevard, walk to the bus stop at Simas School.

2. That the students living south of Fargo Avenue, east of Santa Fe Railroad, west of Peoples Ditch, north of Cortner Street walk to the bus stop at Cortner Street and Glacier Way.

3. That the students living south of Fargo Avenue, east of 11th Avenue, west of Peoples Ditch, north of Cortner Street walk to the bus stop at Fargo Avenue and Fountain Plaza Drive.

4. That the students living south of Fargo Avenue, west of Douty Street, north of Grangeville Boulevard, east of 11th Avenue walk to the bus stop at Monroe School.

5. That the students living south of Cortner Street, west of 11th Ave, north of Grangeville Boulevard, east of Santa Fe Railroad walk to the bus stop at Rodgers Road and Conquistador Street.

6. That the students living south of Grangeville Boulevard, west of 12th Avenue, north of Greenfield Avenue, east of Centennial Drive walk to the bus stop at Greenfield Avenue and Kaplan Place.

7. That the students living south of Greenfield Avenue, west of 12th Avenue, north of Merritt Street, east of Centennial Drive walk to the bus stop at Cerritos Avenue and Greenfield Avenue.

8. That the students living south of Merritt Street, west of 12th Avenue, north of Lacey Boulevard, east of Centennial Drive walk to the bus stop at Liberty Street and Marymont Avenue.

9. That the students living south of Greenfield Avenue, west of Centennial Drive, north of Independence Place, east of Magna Carta Avenue walk to the bus stop at Centennial Drive and Charlie Chambers Drive.

10. That the students living south of south of Independence Place, west of Centennial Drive, north of Lacey Boulevard, east of 13th Avenue walk to the bus stop at Lacey Boulevard and Magna Carta Avenue.

11. That the students living south of Malone Street, west of University Avenue, north of Greenfield Avenue, east of 12th Avenue walk to the bus stop at Greenfield Avenue and Pleasant Way.

Jefferson School, Suggested Route to School, continued

12. That the students living south of Grangeville Boulevard, west of Santa Fe Railroad, north of Dominic Way, west of Campus Drive, north of Greenfield Avenue, east of University Ave walk to the bus stop at Grangeville Boulevard and Mildred Street.

13. That the students living south of Dominic Way, west of Santa Fe Railroad, north of Lacey Boulevard, east of Campus Drive walk to the bus stop at Greenfield Avenue and Elm Street.

14. That the students living south of Grangeville Boulevard, west of Douty Street, north of Florinda Street, east of 11th Avenue walk to Jefferson School.

15. That the students living south of Florinda Street, west of Douty Street, north of Lacey Boulevard, east of Santa Fe Railroad walk to the bus stop at Woodrow Wilson for transfer to Jefferson.

16. That the students living south of Fargo Avenue, west of 10th Avenue, north of Grangeville Boulevard, east of Douty Street walk to the bus stop at George Washington School.

17. That the students living south of Fargo Avenue, west of Fernwood Drive, north of Burlwood Avenue, east of 10th Avenue walk to the bus stop at Neill Way and Cedarwood Street.

18. That the students living south of Burlwood Avenue, west of Fernwood Drive, north of Leland Way, east of 10th Avenue walk to the bus stop at Lakewood Drive east of Knowlwood Drive.

19. That the students living south of Fargo Avenue, west of Highway 43, north of Leland Way, east of Fernwood Drive walk to the bus stop at Fargo Avenue and 9 ¼ Avenue.

20. That the students living south of Leland Way, west of 9 ¼ Avenue, north of Grangeville Boulevard, east of 10th Avenue walk to the bus stop at Hamilton School.

21. That the students living south of Florinda Street, west of 10th Avenue, north of Seventh Street, west of Douty Street walk to the bus stop at Tenth Street and Brown Street.

22. That the students living south of Grangeville Boulevard, west of 10th Avenue, north of Florinda Street, west of Douty Street walk to the bus stop at Tenth Street and Brown Street.

23. That the students living south of Grangeville Boulevard, west of 9 ¼ Avenue, north of Lacey Boulevard, east of Lassen Drive, north of Whitney Drive and east of 10th Ave walk to the bus stop at John F. Kennedy Jr. High School.

24. That the students living south of San Joaquin Railroad, west of Vista Avenue, north of Lacey Boulevard, east of Coast Avenue walk to the bus stop at Sierra Drive.

25. That the students living south of Florinda Street, west of Coast Avenue, north of Lacey Boulevard, east of 9 ¼ Avenue walk to the bus stop at Lacey Boulevard and Carolyn Avenue.

Jefferson School, Suggested Route to School, continued

26. That the students living south of Whitney Drive, west of Lassen Drive, north of Lacey Boulevard, east of 10th Avenue walk to the bus stop at Lacey Boulevard and Jessie Avenue.

27. That the students living south of Lacey Boulevard, west of 11th Avenue, north of Highway 198, east of 12th Avenue walk to the bus stop at Campus Drive and Sixth Street.

28. That the students living south of Seventh Street, west of 10th Avenue, north of Highway 198, east of Douty Street walk to the bus stop at 10th Avenue and Fifth Street.

29. That the students living south of Lacey Boulevard, west of 9 ¼ Avenue, north of San Joaquin Railroad, east of 10th Avenue walk to the bus stop at Lacey Boulevard and Wilson Lane.

30. That the students living south of San Joaquin Railroad, west of Wilson Lane, north of Highway 198, east of 10th Avenue walk to the bus stop at 10th Avenue and Fifth Street.

31. That the students living south and west of Bengston Avenue, north of Hanford-Armona Road, east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Ogden Street.

32. That the students living south of Highway 198, west of 11th Avenue, north of Hanford-Armona Road, east of Bengston Avenue walk to the bus stop at Roosevelt School.

33. That the students living south of Highway 198, west of 10th Avenue, north of Hanford-Armona Road, east of Santa Fe Railroad walk to the bus stop at Harris Street and First Street at Coe Park.

34. That the students living south of Hanford-Armona Road, west of Country Place, north of Banneker Street, east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Bengston Avenue.

35. That the students living south of Hanford-Armona Road, west of 11th Avenue, north of Houston Avenue, east of Carmel Way walk to the stop at M.L.K. School.

36. That the students living south of Hanford-Armona Road, west of Santa Fe Railroad, north of Houston Ave, east of 11th Avenue walk to the bus stop at 11th Avenue and Thompson Drive.

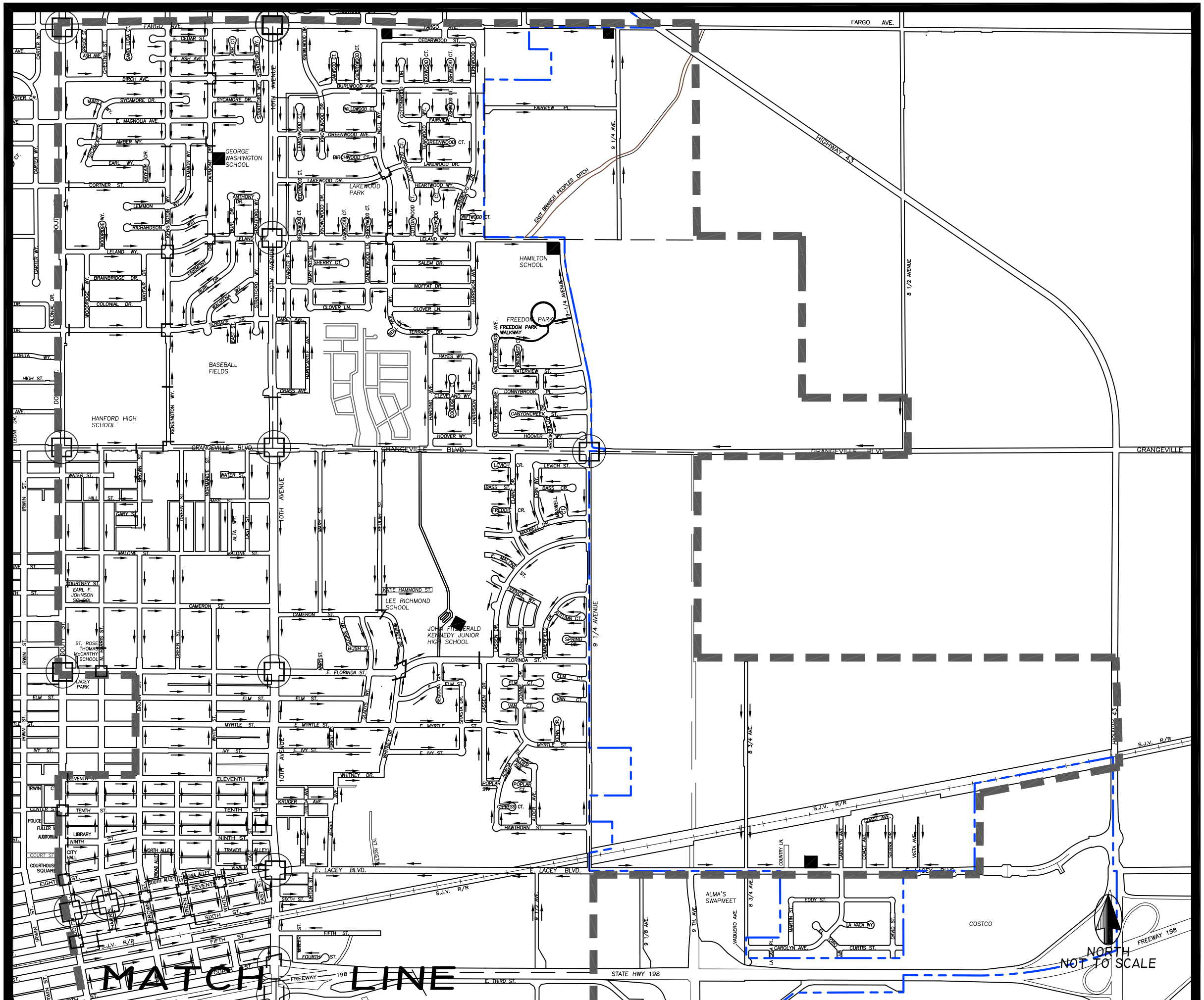
37. That the students living south of Hanford-Armona Road, west of 10 ½ Avenue, north of Thompson Drive, east of Santa Fe Railroad walk to the bus stop at Hanford-Armona Road and 10 ½ Avenue.

Jefferson School, Suggested Route to School, continued

38. The students living south of Hanford-Armona Road, west of 10 ½ Avenue, north of Houston Avenue, east of Santa Fe Railroad walk to the bus stop at 10 ½ Avenue north of Houston Avenue.

39. That the student living south of Hanford-Armona Road, west of Fran Drive, north of Houston Avenue, east of 10 ½ Avenue walk to the stop at Hanford-Armona Road and Jordan Way.

40. That the students living south of Hanford-Armona Road, west of 10th Avenue, north of Camino Ramon, east of Fran Drive walk to the bus stop at 10th Avenue south of Hanford- Armona Road.



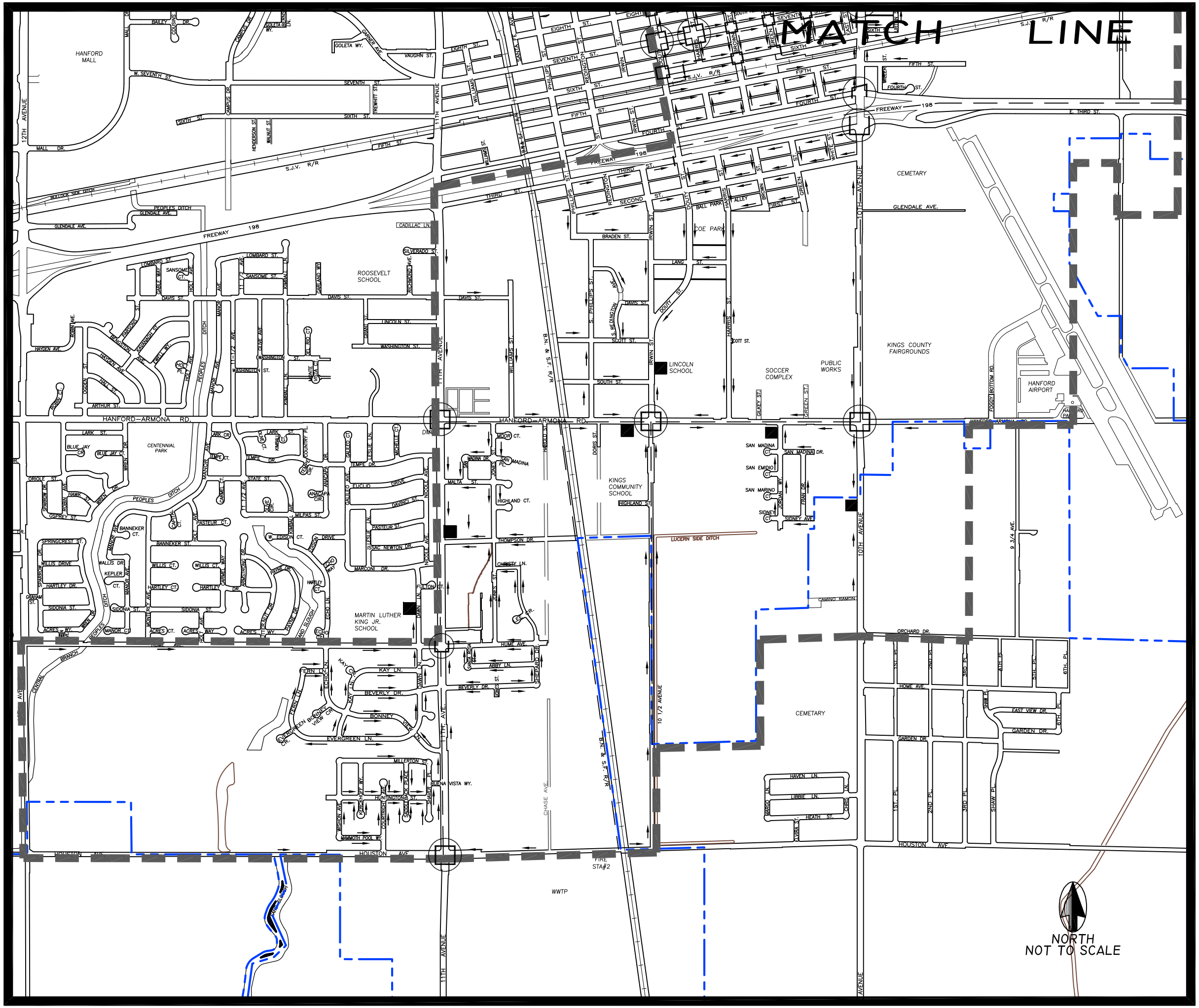
KENNEDY JR. HIGH SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

JFK 1 OF 2
SUGGESTEDROUTE.DWG(6/18/20)



KENNEDY JR. HIGH SCHOOL

SUGGESTED ROUTE PLAN
PAGE 2 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

JFK 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

KENNEDY JR. HIGH SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, west of 10th Avenue, north of Grangeville Boulevard, and east of Douty Street walk to the bus stop at Washington School.

2. That the students living south of Fargo Avenue, west of Fernwood Drive, north of Burlwood Avenue, and east of 10th Avenue walk to the bus stop at Fargo Avenue and Neill Way.

3. That the students living south of Fargo Avenue, west of 9¼ Avenue, north of Leland Way, and east of Fernwood Drive walk to the bus stop at Fargo Avenue and 9¼ Avenue.

4. That the students living south of Burlwood Avenue, west of Fernwood Drive, south of Leland Way, west of 9 ¼ Avenue, north of Grangeville Boulevard and east of 10th Avenue walk to the bus stop at Hamilton School.

5. That the students living south of Grangeville Boulevard, west of 9¼ Avenue, north of Freeway 198, east of Douty Street, walk to Kennedy Jr. School.

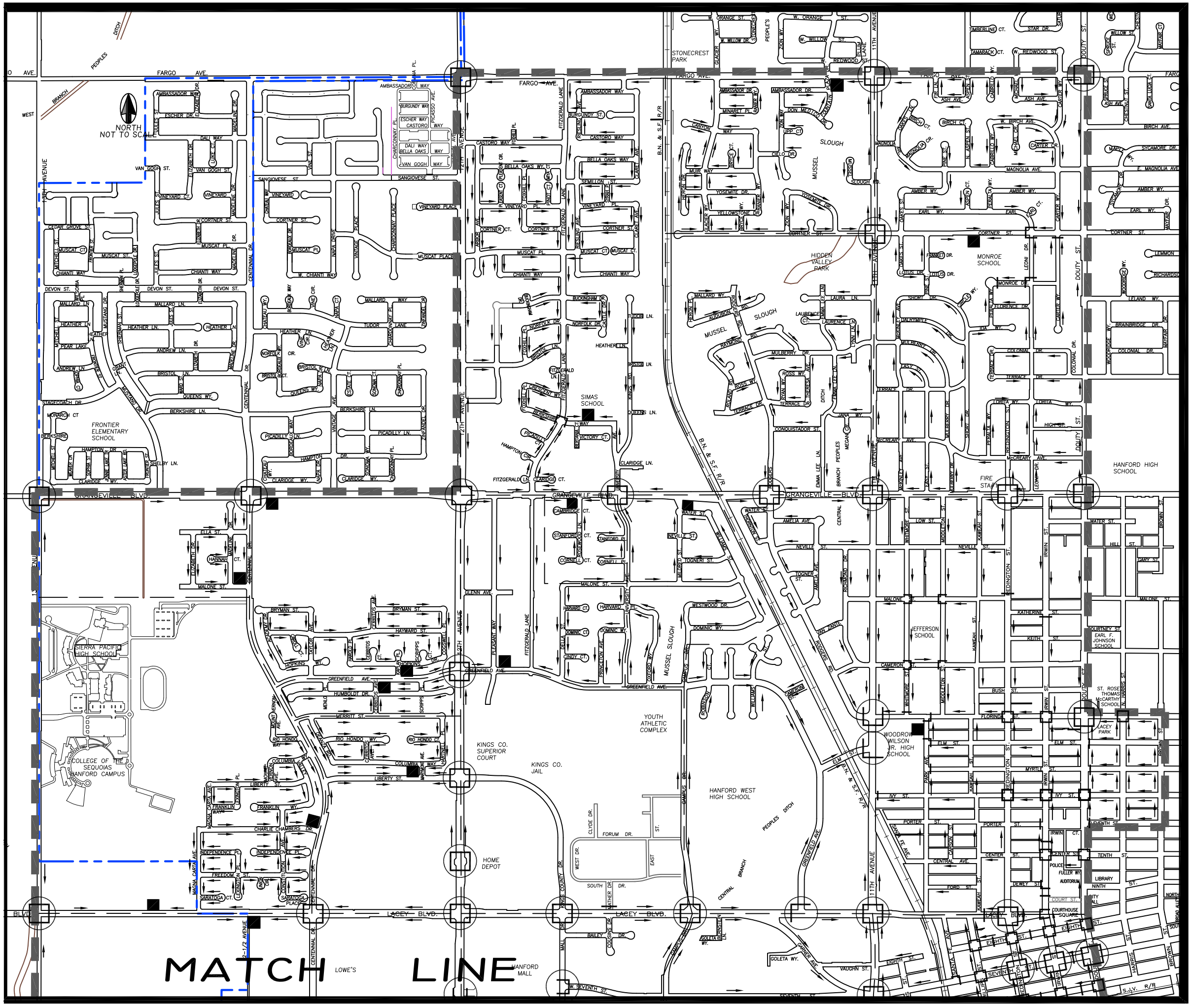
6. That the students living south of Freeway 198, west of 10th Avenue, north of Hanford- Armona Road, and east of 11th Avenue walk to the bus stop at Lincoln School.

7. That the students living south of Hanford-Armona Road, west of Santa Fe Railroad tracks, north of Houston Avenue, east of 11th Avenue walk to the bus stop at 11th Avenue and Thompson Drive.

8. That the students living south of Hanford-Armona Road, west of 10½ Avenue, north of Houston Avenue, and east of Santa Fe Railroad tracks walk to the bus stop at Hanford-Armona Road and 10½ Avenue.

9. That the students living south of Hanford-Armona Road, west of Foggy Bottom Road, north of Orchard Drive, and east of 10½ Avenue walk to the bus stop at Hanford-Armona Road and Jordan Way and the bus stop at 10th Avenue south of Hanford-Armona Road at Faria′s Bakery.

10. That the students living south of Hume Avenue, west of 11th Avenue, north of Houston Avenue and east of 12th Avenue walk to the bus stop at MLK School.

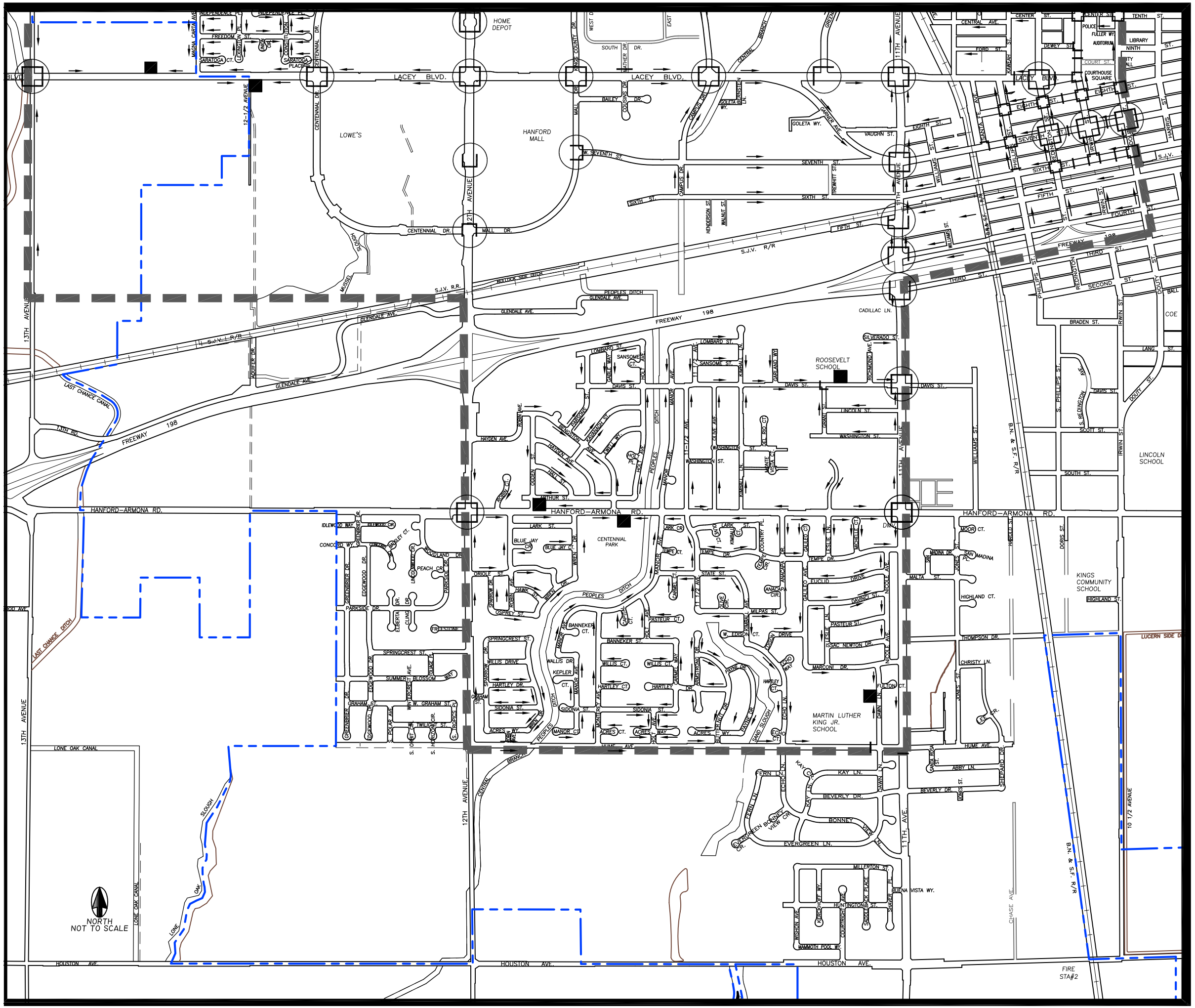


WILSON JR. HIGH SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL



WILSON JR. HIGH SCHOOL

SUGGESTED ROUTE PLAN
PAGE 2 OF 2
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

WILSON JR. 2 OF 2
SUGGESTEDROUTE.DWG(5/8/24)

WILSON JR. HIGH
SCHOOL

Suggested Route to

School The key elements of this plan are as follows:

1. That the students living south of Fargo Avenue, west of Santa Fe Railroad tracks, north of Grangeville Boulevard, and east of 12th Avenue walk to the bus stop at Simas School.

2. That the students living south of Fargo Avenue, west of 11th Avenue, north of Cortner Street, and east of Santa Fe Railroad tracks walk to the bus stop at Fargo Avenue and Fountain Plaza Drive.

3. That the students living south of Cortner Street, west of 11th Avenue, north of Grangeville Boulevard, and east of the Santa Fe Railroad tracks walk to Wilson Jr. High School.

4. That the students living south of Fargo Avenue, west of Douty Street, north of Grangeville Boulevard, and east of 11th Avenue walk to the bus stop at Monroe School.

5. That the students living south of Grangeville Boulevard, west of Centennial Drive, north of Bryman Street, and east of 13th Avenue walk to the bus stop at Malone Street and Centennial Drive.

6. That the students living south of Grangeville Boulevard, west of 12th Avenue, north of Greenfield Avenue, and east of Centennial Drive walk to the bus stop at Greenfield Avenue and Kaplan Place.

7. That the students living south of Greenfield Avenue, west of 12th Avenue, north of Merritt Street, and east of Centennial Drive walk to the bus stop at Cerritos Avenue and Greenfield Avenue.

8. That the students living south of Merritt Street, west of 12th Avenue, north of Lacey Boulevard, and east of Centennial Drive walk to the bus stop at Liberty Street and Marymont Avenue.

9. That the students living south of Grangeville Boulevard, west of Fitzgerald Lane, south of Malone Street, west of University Avenue, north of Greenfield Avenue, and east of 12th Avenue walk to the bus stop at Pleasant Way and Greenfield Avenue.

10. That the students living south of Grangeville Boulevard, west of University Avenue, north of Malone Street, and east of Fitzgerald Lane walk to the bus stop at Rosewood Lane and Grangeville Boulevard.

11. That the students living south of Grangeville Boulevard, west of Santa Fe Railroad tracks, north of Dominic Way, west of Campus Drive, north of Greenfield Avenue, and east of University Avenue walk to the bus stop at Mildred Street and Water Street.

Wilson Jr High School, Suggested Route to School, continued

12. That the students living south of Grangeville Boulevard, west of Douty Street, north of Florinda Street, west of Brown Street, north of Eleventh Street, west of Douty Street, north of Lacey Boulevard, east of Campus Drive, south of Dominic Way, and east of Santa Fe Railroad tracks walk to Wilson Jr. High School.

13. That the students living south of Lacey Boulevard, west of 12th Avenue, north of San Joaquin Valley Railroad tracks, and east of 13th Avenue walk to the bus stop at Lacey Boulevard and Hofman's Nursery.

14. That the students living south of Lacey Boulevard, west of Douty Street, north of Freeway 198, and east of 12th Avenue walk to Wilson Jr. High School.

15. That the students living south of Freeway 198, west of Ogden Street, south and west of Bengston Avenue, north of Hanford-Armona Road, and east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Ogden Street.

16. That the students living south of Freeway 198, west of 11th Avenue, north of Hanford- Armona Road, and east of Bengston Avenue walk to the bus stop at Roosevelt School.

17. That the students living south of Hanford-Armona Road, west of the extension of Country Place/Kimball Avenue/Butternut Drive, north of Hume Avenue, and east of 12th Avenue walk to the bus stop at Hanford-Armona Road and Centennial Park.

18. That the students living south of Hanford-Armona Road, west of 11th Avenue, north of Hume Avenue, and east of the extension of Butternut Drive/Kimball Avenue/Country Place walk to the bus stop at King School.

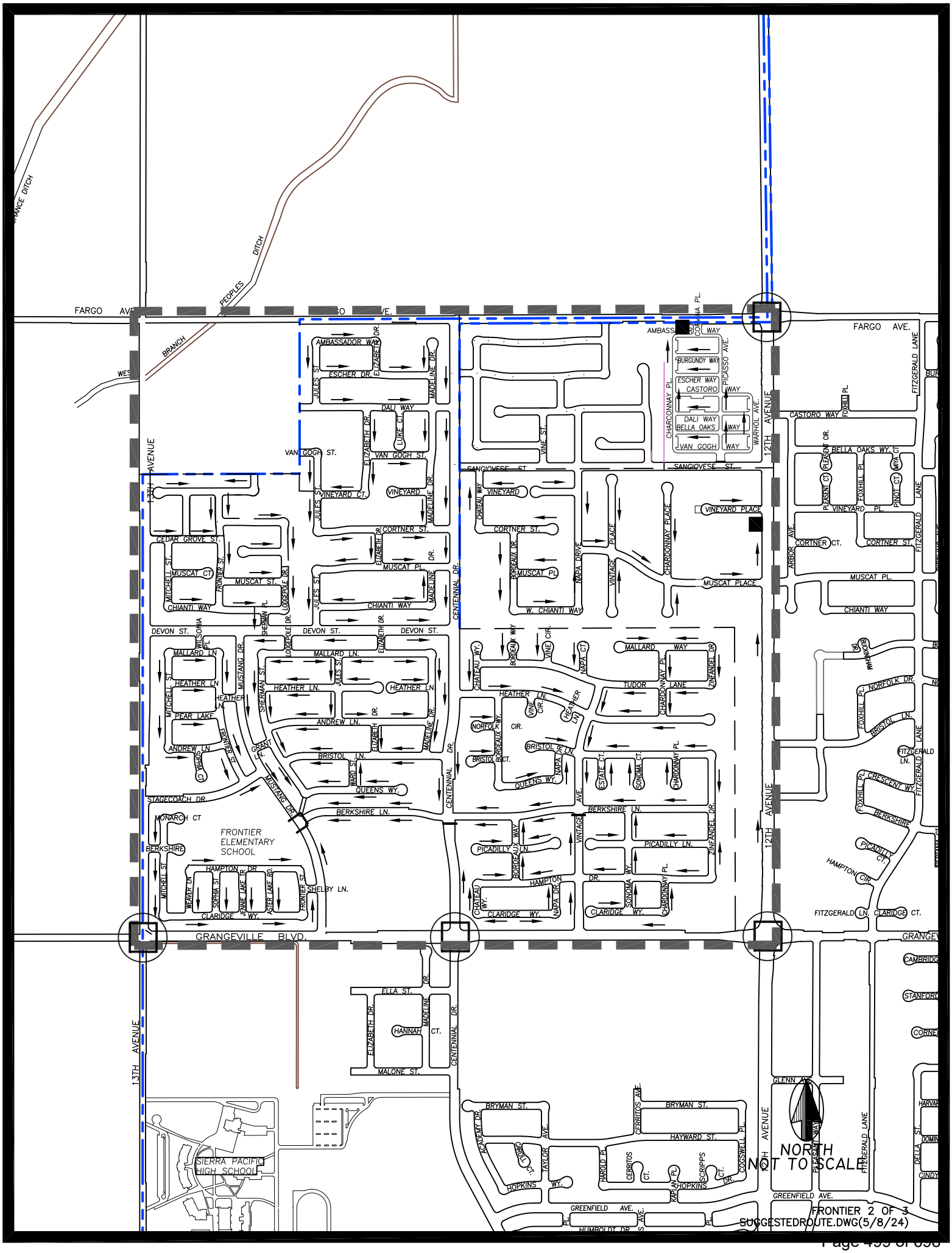
FRONTIER SCHOOL

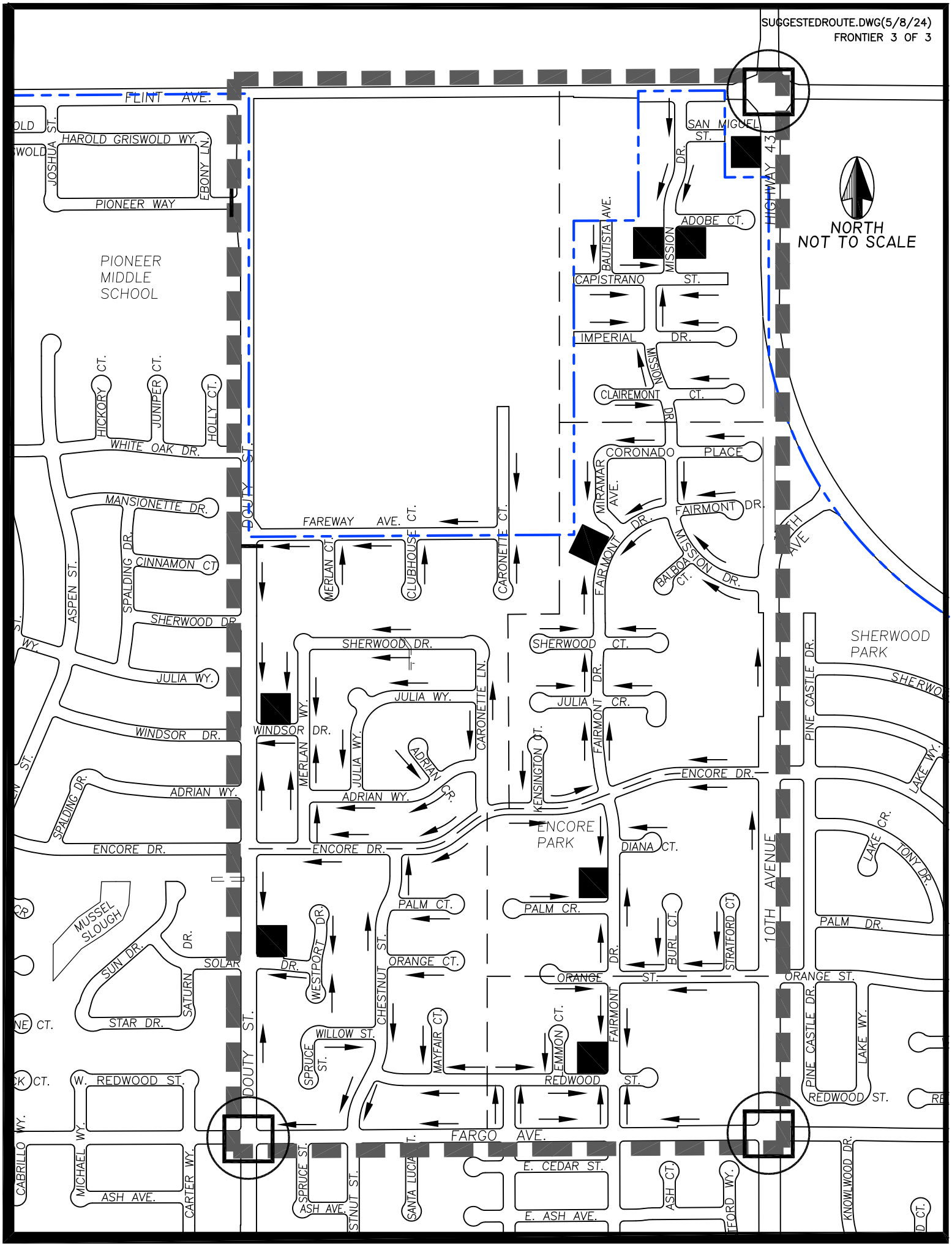
SUGGESTED ROUTE PLAN
PAGE 1 OF 3
2024-2025 SCHOOL YEAR

LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)


FARGO AVE.
GRANGEVILLE BLVD.
12TH AVENUE
13TH AVENUE
PEOPLES DITCH
BRANCH
AMBASSADOR WAY
ESCHER DR.
DALI WAY
VAN GOGH ST.
VINEYARD CT.
VINEYARD
CORTNER ST.
MUSCAT PL.
MUSCAT ST.
MUSCAT CT.
CHIANTI WAY
CEDAR GROVE ST.
DEVON ST.
MALLARD LN.
HEATHER LN.
PEAR LAKE
ANDREW LN.
BRISTOL LN.
QUEENS WY.
BERKSHIRE LN.
STAGECOACH DR.
MONARCH CT
FRONTIER ELEMENTARY SCHOOL
HAMPTON DR
CLARIDGE WY.
SHELBY LN.
ELLA ST.
HANNAH CT.
MALONE ST.
SIERRA PACIFIC HIGH SCHOOL
BRYMAN ST.
HAYWARD ST.
HOPKINS WY.
GREENFIELD AVE.
HUMBOLDT DR.
CASTORO WAY
BELLA OAKS WY.
VINEYARD PL.
CORTNER CT.
MUSCAT PLACE
CHIANTI WAY
BURGUNDY WAY
NORFOLK DR.
BRISTOL LN.
CRESCENT WY.
BERKSHIRE
PICADILLY CT.
HAMPTON CIR.
FITZGERALD LN.
CLARIDGE CT.
GLENN AVE.
NORTH
NOT TO SCALE


NORTH
NOT TO SCALE
FLINT AVE.
HAROLD GRISWOLD WY.
JOSHUA ST.
EBONY LN.
PIONEER WAY
PIONEER MIDDLE SCHOOL
HICKORY CT.
JUNIPER CT.
HOLLY CT.
WHITE OAK DR.
MANSIONETTE DR.
CINNAMON CT.
SPALDING DR.
ASPEN ST.
SHERWOOD DR.
JULIA WY.
WINDSOR DR.
ADRIAN WY.
ENCORE DR.
MUSSEL SLOUGH
SUN DR.
SOLAR DR.
SATURN
STAR DR.
W. REDWOOD ST.
CABRILLO WY.
MICHAEL WY.
ASH AVE.
CARTER WY.
DOUTY ST.
FAREWAY AVE.
MERLAN CT.
CLUBHOUSE CT.
CARONETTE CT.
CARONETTE LN.
WESTPORT DR.
CHESTNUT ST.
WILLOW ST.
SPRUCE ST.
ORANGE CT.
MAYFAIR CT.
PALM CT.
SHERWOOD CT.
JULIA CR.
ADRIAN CR.
KENSINGTON CT.
EMMON CT.
REDWOOD ST.
FARGO AVE.
E. CEDAR ST.
E. ASH AVE.
SANTA LUCIA
SAN MIGUEL ST.
ADOBE CT.
BAUTISTA AVE.
MISSION DR.
CAPISTRANO ST.
IMPERIAL DR.
CLAIREMONT CT.
CORONADO PLACE
MIRAMAR AVE.
FAIRMONT DR.
BALBOA CT.
PALM CR.
DIANA CT.
BURL CT.
STRATFORD CT.
ORANGE ST.
10TH AVENUE
HIGHWAY 43
SHERWOOD PARK
PINE CASTLE DR.
LAKE WY.
LAKE CR.
TONY DR.
PALM DR.
KNOWLWOOD DR.

FRONTIER SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Flint Avenue, west of Highway 43, north of Coronado Place, and east of Caronette Lane/Court walk to the bus stop at Mission Drive and Adobe Ct.

2. That the students living south of Coronado Place, west of 10th Avenue, north of Encore Drive, and east of Caronette Lane/Court walk to the bus stop at Fairmont Drive and Miramar Avenue.

3. That the students living south of Flint Avenue, west of Caronette Court, north of Sherwood Drive, and east of Douty Street walk to the school bus stop at Douty Street and Windsor Drive.

4. That the students living south of Encore Drive, west of 10th Avenue, north of Orange Street, and east of Caronette Lane walk to the bus stop at Fairmont Drive and Palm Circle.

5. That the students living south of Orange Street, west of 10th Avenue, north of Fargo Avenue and east of Caronette Lane walk to the bus stop at Fairmont Drive and Redwood Street.

6. That the students living south of Encore Drive, west of Caronette Lane, north of Fargo Avenue and east of Douty Street walk to the bus stop at Douty Street and Solar Drive.

7. That the students living south of Fargo Avenue, west of 12th Avenue, north of Sangiovese Street, east of Centennial Drive walk to the bus stop at Fargo Avenue and Corvina Place.

8. That the students living south of Sangiovese Street, west of 12th Avenue, north of Mallard Way and east of Centennial Drive walk to the bus stop at 12th Avenue and Muscat Place.

9. That the students living south of Mallard Way, west of Zinfandel Drive, north of Grangeville Boulevard, and east of Centennial Drive walk to Frontier School.

10. That the students living south of Fargo Ave, west of Centennial Drive, north of Grangeville Boulevard, and east of 13th Ave walk to Frontier School.

PIONEER SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

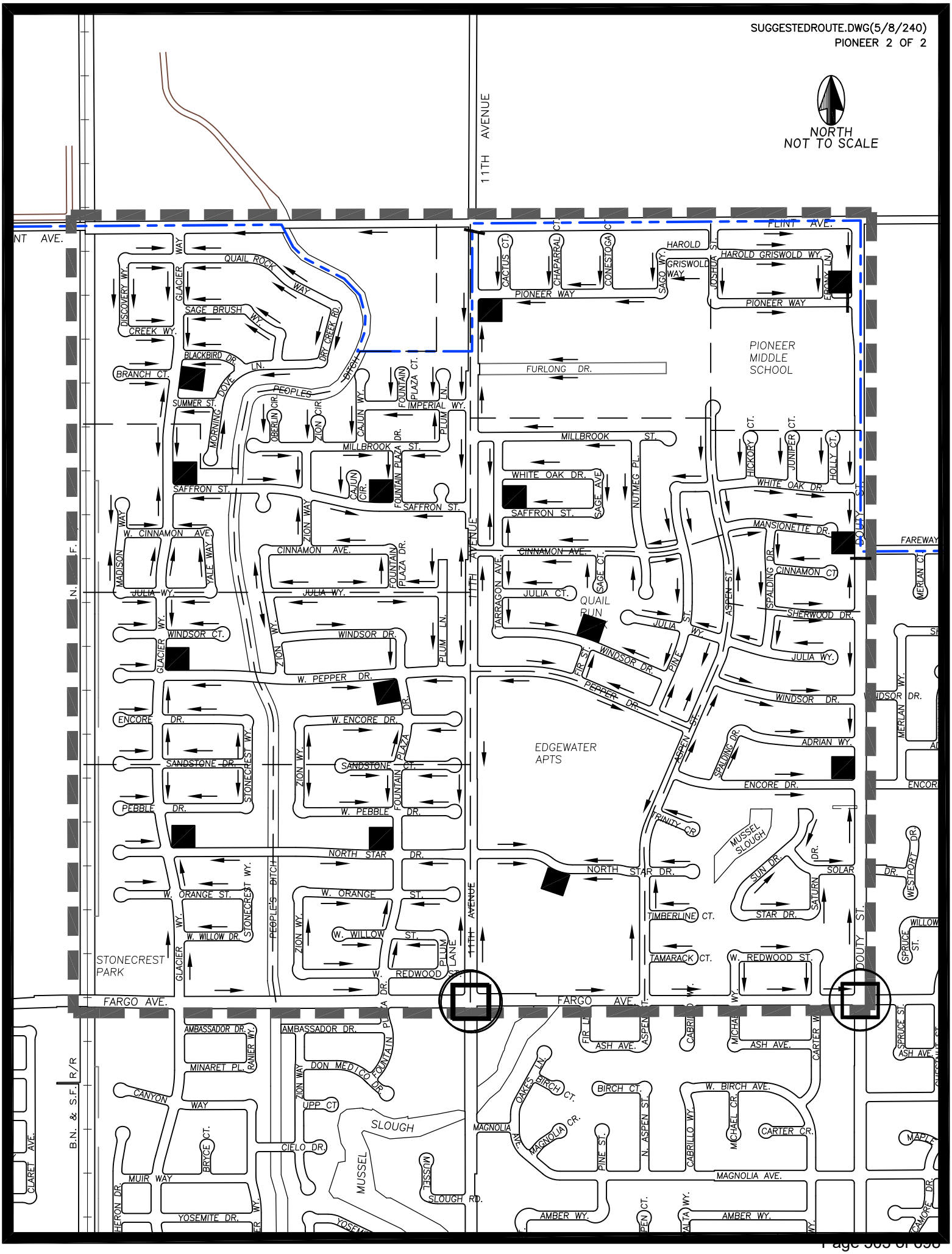
LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)

SUGGESTEDROUTE.DWG(5/8/240)
PIONEER 2 OF 2

NORTH
NOT TO SCALE



PIONEER SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Flint Avenue, west of Douty Street, north of Millbrook Street and east of Joshua Street walk to the bus stop at Douty Street and Pioneer Way.

2. That the students living south of Flint Avenue, west of Joshua Street, north of Millbrook Street, and east of 11th Ave walk to the bus stop at the corner of 11th Ave and Pioneer Way.

3. That the students south of Flint Avenue, west of Peoples Ditch, north of Summer Street and east of BN & SF Railroad walk to the bus stop on the east side of Glacier Way at the park.

4. That the students living south of Summer Street, west of Peoples Ditch, north of Julia Way, and east of BN & SF Railroad tracks walk to the bus stop at Glacier Way and Saffron Street.

5. That the students living south of Furlong Drive, west of 11th Avenue, north of Julia Way and east of Peoples Ditch walk to the bus stop at Saffron Street and Fountain Plaza Drive.

6. That the students living south of Millbrook Street, west of Aspen Street, north of Cinnamon Avenue and east of 11th Avenue walk to the bus stop at Saffron Street and Tarragon Avenue.

7. That the students living south of Pioneer Middle School, west of Douty Street, north of Sherwood Drive, and east of Aspen Street walk to the bus stop at Douty Street and Fareway Avenue.

8. That the students living south of Julia Way, west of Peoples Ditch, north of Sandstone Drive and east of BN & SF Railroad tracks walk to the bus stop at Glacier Way and Pepper Drive.

9. That the students living south of Julia Way, west of 11th Avenue, north of Sandstone Court and east of Peoples Ditch walk to the bus stop at Pepper Drive and Fountain Plaza Drive.

10. That the students living south of Cinnamon Avenue, west of Aspen Street, north of Pepper Drive and east of 11th Avenue walk to the bus stop at Windsor Drive and Fir Street.

11. That the students living south of Sherwood Drive, west of Douty Street, north of Fargo Avenue, and east of Aspen Drive walk to the bus stop at Douty Street and Encore Drive.

12. That the students living south of Sandstone Drive, west of Peoples Ditch, north of Fargo Avenue and east of BN & SF Railroad tracks walk to the bus stop at Northstar Drive and Glacier Way.

Pioneer School, Suggested Route to School, continued

13. That the students living south of Sandstone Court, west of 11th Avenue, north of Fargo Avenue and east of Peoples Ditch walk to the bus stop at Northstar Drive and Fountain Plaza Drive.

14. That the students living south of Pepper Drive, west of Aspen Street, north of Fargo Avenue and east of 11th Avenue walk to the bus stop on Northstar Drive between 11th Avenue and Aspen Street.

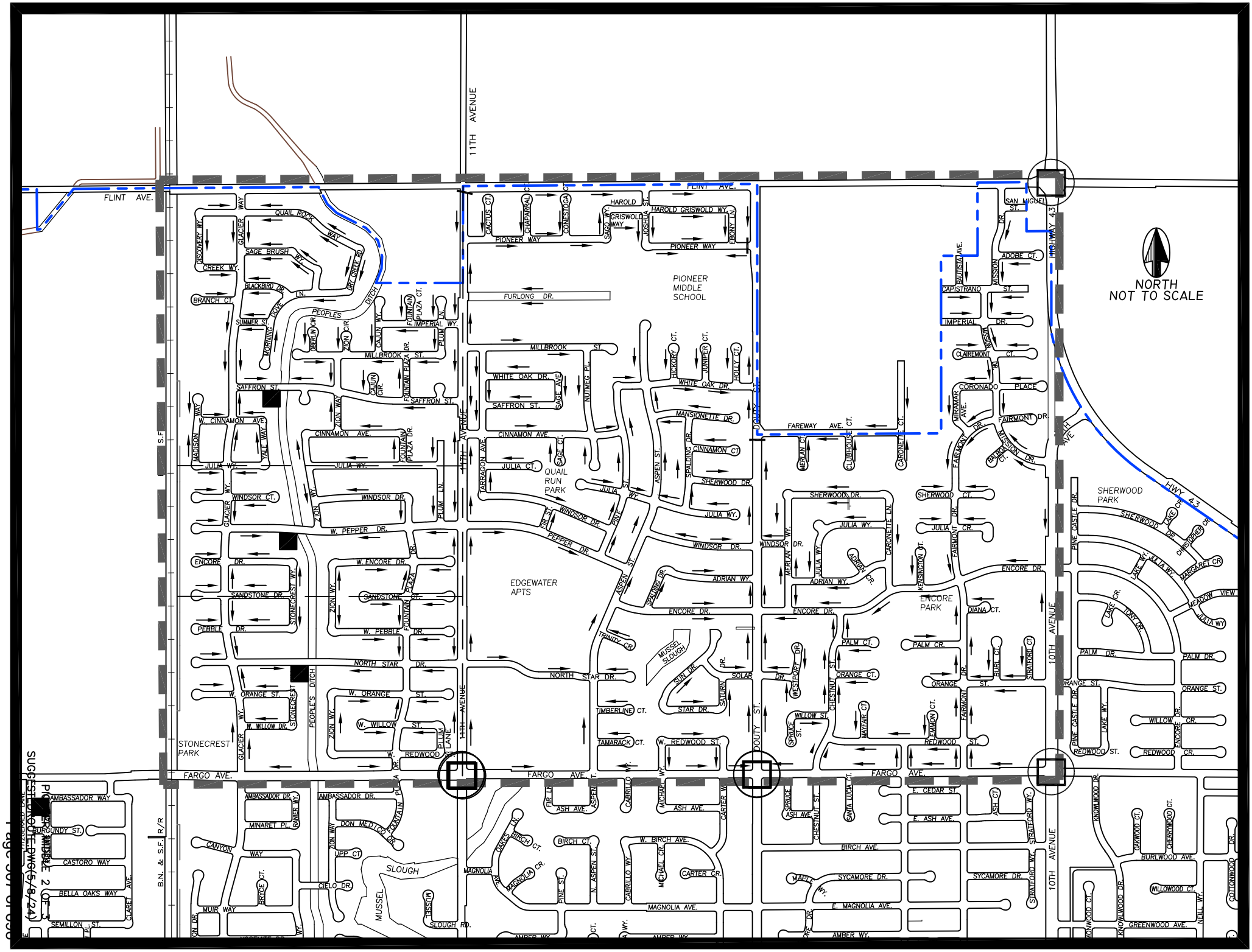
PIONEER MIDDLE SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 3
2024-2025 SCHOOL YEAR

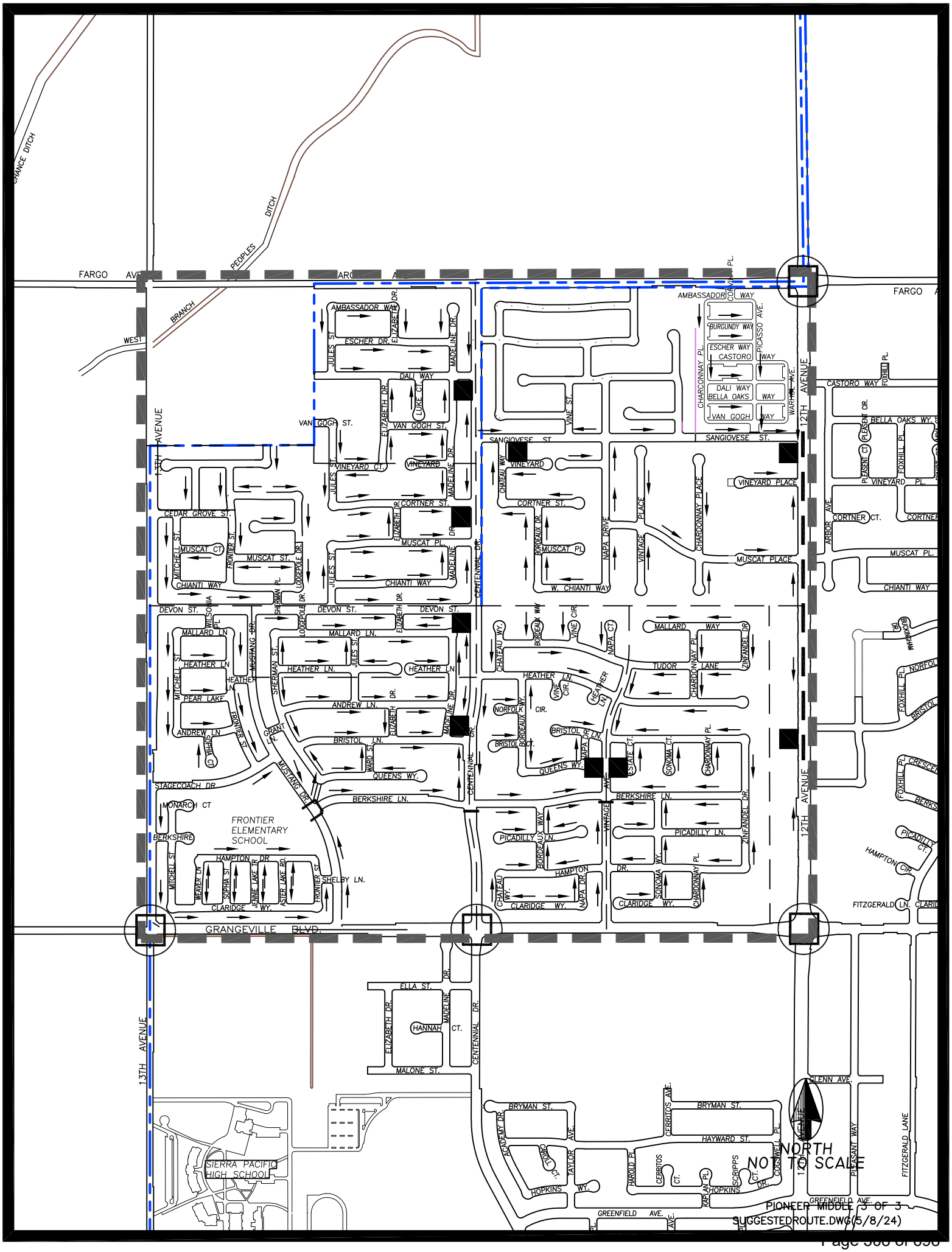
LEGEND

- BUS STOP
- SUGGESTED SCHOOL ROUTE
- CROSSWALK
- SCHOOL BOUNDARY
- SIGNAL

SUGGESTEDROUTE.DWG(5/8/24)



SUGGESTED ROUTE 2 OF 3
PIONEER MIDDLE SCHOOL (5/8/24)



PIONEER MIDDLE 3 OF 3
SUGGESTEDROUTE.DWG(5/8/24)

PIONEER MIDDLE SCHOOL

Suggested Route to School

The key elements of this plan are as follows:

1. That the students living south of Flint Avenue, west of 10th Avenue, north of Fargo Avenue and east of Douty Street walk to Pioneer Middle School using the Douty Street/Fairway Avenue intersection crosswalk.

2. That the students living south of Flint Avenue, west of Douty Street, north of Fargo Avenue, and east of 11th Avenue walk to Pioneer Middle School.

3. That the students living south of Flint Avenue, west of 11th Avenue, north of Julia Way and east of BN & SF Railroad tracks walk to the bus stop at Saffron Street west of Peoples Ditch.

4. That the students living south of Julia Way, west of 11th Avenue, north of Sandstone Drive and east of BN&SF Railroad tracks walk to the bus stop at Pepper Drive west of Peoples Ditch.

5. That the students living south of Sandstone Drive, west of 11th Avenue, north of Fargo Avenue and east of BN&SF Railroad tracks walk to the bus stop at North Star Drive west of Peoples Ditch.

6. That the students living south of Fargo Avenue, west of 12th Avenue, north of Mallard Way and east of Centennial Drive walk to the bus stop at 12th Avenue north of Sangiovese Street.

7. That the students living south of Mallard Way, west of Zinfandel Drive and north of Grangeville Boulevard, east of Vintage Ave walk to the bus stop at east side of Vintage Ave south of Bristol Lane.

8. That the students living south of Mallard Way, west of Vintage Avenue, north of Grangeville Boulevard and east of Centennial Drive walk to the bus stop at west side of Vintage Avenue south of Bristol Lane.

9. That the students living south of Fargo Avenue, west of Centennial Drive, north of Vineyard Court and east of Jules Street walk to the bus stop at west side of Centennial Drive at south of Dali Way.

10. That the students living south of Vineyard Court, west of Centennial Drive, north of Devon Street and east of 13th Ave walk to the bus stop at the west side of Centennial Drive north of Muscat Place.

11. That the students living south of Devon Street, west of Centennial Drive, north of Heather Lane and east of Mustang Drive walk to the bus stop at west side of Centennial Drive south of Devon street.

.

12. That the students living south of Heather Lane, west of Centennial Drive, north of Berkshire Lane and east of Mustang Drive walk to the bus stop at west side of Centennial Drive north of Bristol Lane.

13. That the students living south of Fargo Avenue, west of Jules Street, north of Devon Street and east of 13th Avenues walk to the bus stop at south side of Devon Street west of Centennial Drive.

14. That the students living south of Devon Street, west of Mustang Drive, north of Grangeville Boulevard and east of 13th Avenues walk to the bus stop at west side of Centennial Drive north of Bristol Lane.

SAINT ROSE-THOMAS McCARTHY CATHOLIC SCHOOL

SUGGESTED ROUTE PLAN
PAGE 1 OF 2
2024-2025 SCHOOL YEAR

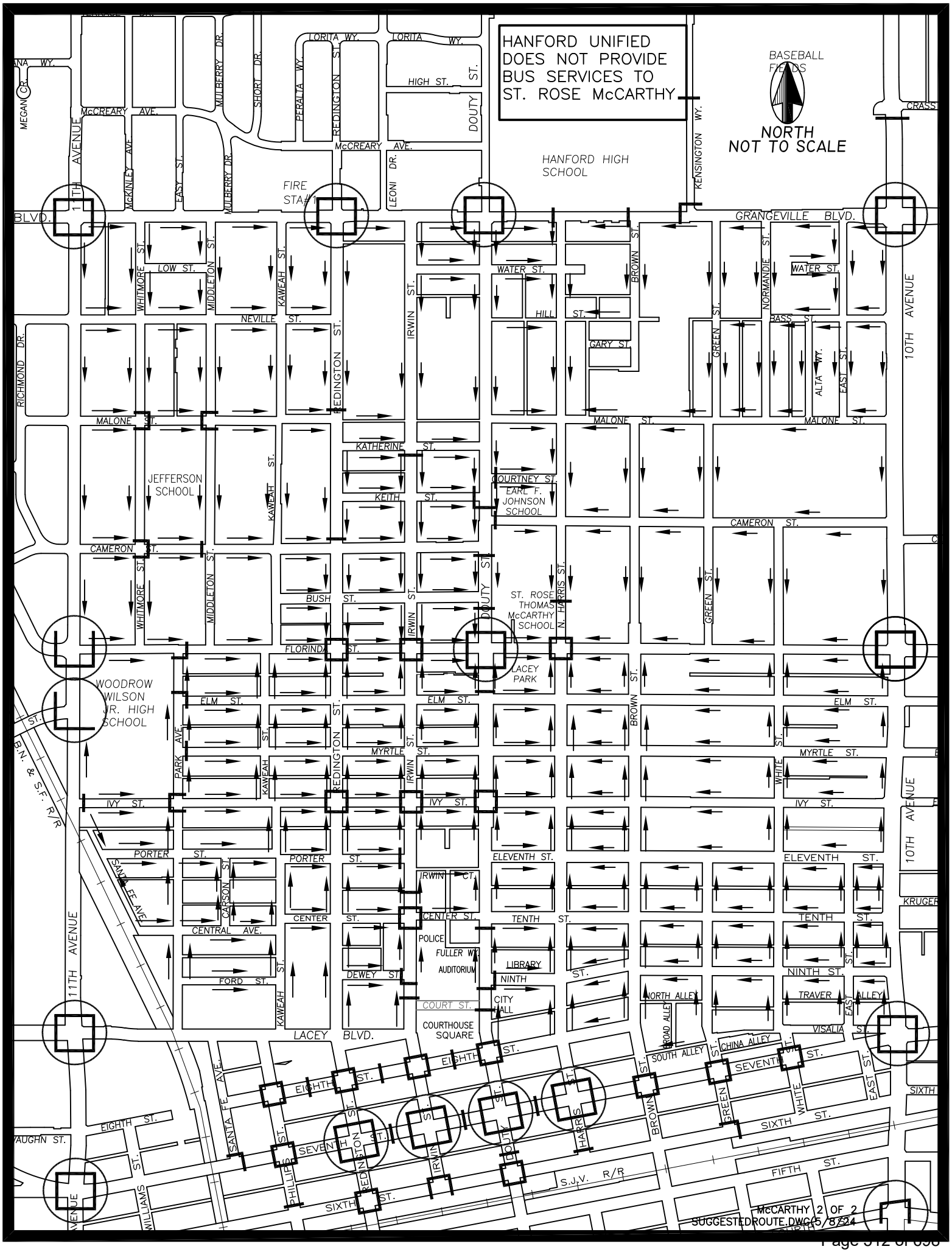
LEGEND

SUGGESTED SCHOOL ROUTE

CROSSWALK

SIGNAL

SUGGESTEDROUTE.DWG(6/18/20)


HANFORD UNIFIED DOES NOT PROVIDE BUS SERVICES TO ST. ROSE McCARTHY
BASEBALL FIELDS
NORTH
NOT TO SCALE
HANFORD HIGH SCHOOL
FIRE STA#1
JEFFERSON SCHOOL
EARL F. JOHNSON SCHOOL
ST. ROSE THOMAS McCARTHY SCHOOL
LACEY PARK
WOODROW WILSON JR. HIGH SCHOOL
POLICE
FULLER WY
AUDITORIUM
LIBRARY
CITY HALL
COURTHOUSE SQUARE
GRANGEVILLE BLVD.
LACEY BLVD.
11TH AVENUE
10TH AVENUE
B.N. & S.F. R/R
S.J.V. R/R
SANTA FE AVE.
McCREARY AVE.
LORITA WY.
HIGH ST.
DOUTY ST.
REDINGTON ST.
MULBERRY DR.
SHORT DR.
PERALTA WY.
LEONI DR.
KENSINGTON WY.
MEGAN CR.
MCKINLEY AVE.
EASY ST.
RICHMOND DR.
LOW ST.
WHITMORE ST.
MIDDLETON ST.
KAWEAH ST.
NEVILLE ST.
IRWIN ST.
WATER ST.
HILL ST.
BROWN ST.
GARY ST.
GREEN ST.
NORMANDIE ST.
BASS ST.
ALTA WY.
EAST ST.
MALONE ST.
KATHERINE ST.
KEITH ST.
COURTNEY ST.
CAMERON ST.
BUSH ST.
N. HARRIS ST.
FLORINDA ST.
ELM ST.
MYRTLE ST.
WHITE ST.
IVY ST.
PORTER ST.
ELEVENTH ST.
IRWIN CT.
CARSON ST.
CENTER ST.
TENTH ST.
CENTRAL AVE.
FULLER WY
DEWEY ST.
NINTH ST.
FORD ST.
COURT ST.
NORTH ALLEY
TRAVER
EAST ALLEY
BROAD ALLEY
VISALIA ST.
SOUTH ALLEY
CHINA ALLEY
EIGHTH ST.
SEVENTH ST.
SIXTH ST.
FIFTH ST.
VAUGHN ST.
WILLIAMS
PHILLIPS ST.
KRUGER
McCARTHY 2 OF 2
SUGGESTEDROUTE.DWG 5/8/24

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Award of a construction contract to W.M. Lyles of Fresno, CA, in the amount of $264,800, and additional Appropriation of $300,000 from the Wastewater Fund (2073, CIP #824011) for the installation of a submersible stand-by pump for use at the Wastewater Treatment Facility.

RECOMMENDATION:

Recommendation:

Staff recommends that the City Council:

1. Authorize the City Manager to enter into a contract with W.M. Lyles Company, of Fresno, CA, for the installation of a stand-by pump and other appurtenances at the Wastewater Treatment Facility Headworks in the amount of $264,800; and
2. Authorize the appropriation of $300,000 from the Wastewater Fund (2073, CIP #824011) for the installation of the pump.

Recommended Motion:

1. I move to authorize the City Manager to enter into a contract with W.M. Lyles Company for the installation of a stand-by pump and other appurtenances at the Wastewater Treatment Facility Headworks in the amount of $264,800; and
2. To approve the appropriation of $300,000 from the Wastewater Fund (2073, CIP #824011) for installation of the pump.

BACKGROUND:

This item is for the award of a construction contract for the installation of a submersible pump at the Wastewater Treatment Facility Headworks. Procurement of the submersible pump was previously approved by City Council at the March 5, 2024 City Council Meeting. The pump had a 16 to18 week lead time for which Staff expects delivery by early July.

This pump is critical to the operations of the WWTP should the primary headworks pump fail resulting in a catastrophic spill. The pump will be activated upon the malfunction or failure of one of the two headwork pumps as these are the main pumps that lifts the wastewater sewage, collected city-wide, and into the treatment facility's processing cycle.
Failure of both headwork pumps would result in a wastewater back-up in the sanitary system and

spillover out of the upstream manholes (approximately 8-hours after failure). Both pumps were installed in 2003 and have a life expectancy of 20-25 years. One of the pumps is planned for replacement towards the end of this fiscal year. The 2nd pump will be addressed, if possible, during the future plant upgrade.

Bidding Process:

A formal City bid process was conducted beginning May 3, 2024 and closed May 17, 2024. City staff opened two (2) bids submitted for the project. Per the construction bid documents, the apparent low bid was established by the lowest Base Bid. The results are summarized below, listed in order from lowest to highest bid:

No.	Contractor	Location	Bid Amount
1.	W.M. Lyles Company	Fresno, CA	$264,800
2.	GSE Construction Company, Inc.	Livermore, CA	$326,000

Staff reviewed the bids and found both to be responsive. W.M. Lyles's bid proposal was determined to be the lowest qualified and responsible bidder. Previous experience working with Lyles has been favorable and their listed subcontractors are qualified for the work listed in the project scope. Based on the above, Staff recommends that Lyles be awarded the contract for this project.

FISCAL IMPACT:

The construction element of this project is not funded. However, appropriation of funds for procurement of the submersible fund was previously approved at the March 5, 2024 City Council Meeting. The budget summary of this project is as follows:

FUNDING:		
Wastewater Fund (2073-824011)	$	79,000
Total Project Budget	$	79,000
ESTIMATED PROCT COSTS:		
Vaughn Submersible Pump	$	78,259
Construction (Lyles)	$	264,800
Construction Contingency (10%)	$	26,480
Total Estimated Project Cost:	$	369,539
Project Budget Surplus or (Deficit):	$	(290,539)

Based on the above available funds and the resultant estimated budget deficit, an appropriation is needed to complete the work. Therefore, it is recommended that City Council approve an appropriation of $300,000 from the Wastewater Capital Fund (CIP #824011) to fund the construction element of this project. Any surplus funds following completion of the project will be unencumbered back to their originating fund source.

ATTACHMENTS:

None

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Adoption of the City of Hanford fiscal year 2024-25 Investment Policy

---

RECOMMENDATION:

Recommendation: That City Council, by motion, adopt the City of Hanford fiscal year 2024-25 Investment Policy

Recommended Motion: I move to adopt a City of Hanford fiscal year 2024-25 Investment Policy

BACKGROUND:

The City's cash is one of Hanford's most valuable assets. The use of that cash and safekeeping is an important function of the City. Cash on hand can also be a source of significant income if used wisely. As a result, the Council has some oversight responsibilities, namely:

1) The annual review and adoption of the City's investment policy;
2) Delegation of investment authority to the Finance Director/Treasurer.

Investment Policy updates
The proposed 2024-25 investment policy, Exhibit A, is attached for Council's review. There are minor updates to the policy.
1) Updates to reference CA Debt and Investment Advisory Commission January 1, 2024
2) Update to 7.0 Authorized Financial Dealers and Institutions to include Registered Investment Advisers
3) Update to 13.0 Diversification for clarity

Delegation of Investment Authority
The Council needs to annually delegate investment authority to the Finance Director/Treasurer as shown in the City's Investment Policy. By adopting the City's Investment Policy, the authority will again be delegated to the Finance Director/Treasurer.

Summary
The most important point in managing the City's cash is to remember the purpose of the cash is to provide the residents of Hanford with services; earning investment returns is a secondary goal. The proposed changes in the investment policy and the investment report are designed to follow the SLY acronym: Safety, Liquidity and Yield. While some investments in government agencies lose value, the City's will continue to gain value. Keeping the City's cash safe allows everyone to sleep well at

night.

FISCAL IMPACT:

This action provides an update to the City's investment policy for generating yield on investments following the 'SLY' approach.

ATTACHMENTS:

1. 2024 City of Hanford Investment Policy 2024-2025

CITY OF HANFORD

INVESTMENT POLICY

2024-2025

CITY OF HANFORD

TABLE OF CONTENTS

Section	Topic	Page
1.0	Introduction	1
2.0	Scope	1
3.0	Prudence	2
4.0	Investment Objectives	2
5.0	Delegation of Authority	2
6.0	Ethics and Conflicts of Interest	2
7.0	Authorized Financial Dealers and Institutions	3
8.0	Authorized and Suitable Investments	3
9.0	Review	5
10.0	Investment Pools/Mutual Funds	5
11.0	Collateralization	5
12.0	Safekeeping and Custody	6
13.0	Diversification	6
14.0	Maximum Maturities	6
15.0	Internal Controls	6
16.0	Performance Standards	6
17.0	Reporting	6
18.0	Investment Policy Adoption	6
19.0	Glossary	7

City of Hanford, California
Investment Policy

1.0 INTRODUCTION

The City of Hanford (City) has a fiduciary responsibility to maximize the productive use of its liquid assets entrusted to its care and to manage those public funds wisely and prudently.

The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities. Related activities which comprise good cash management include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and short-term borrowing program which coordinates working capital requirements and investment opportunity. It is the policy of the City to invest public funds in a manner that will provide high investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds.

2.0 SCOPE

It is intended that this policy cover all funds and investment activities under the direct authority of the City. This policy also covers any funds held by fiscal agents in connection with the issuance of any bonds by the City. Such funds shall be invested in accordance with the applicable trust indenture.

These funds are accounted for in the City's Audited Financial Statements or Annual Comprehensive Financial Report (ACFR) and include:

General Fund

Special Revenue Funds

Debt Service Funds

Capital Project Funds

Enterprise Funds

Internal Service Funds

Trust and Agency Funds

Funds Held by Fiscal Agents

Any new funds created by the City Council (unless specifically exempted)

3.0 PRUDENCE

The standard of prudence to be used by city officials responsible for the investment of public funds shall be the "prudent person" standard as set forth in California Code Section 53600.3 and shall be applied in the context of managing the overall city portfolio of funds. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual's security risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 INVESTMENT OBJECTIVES

4.1 Safety. It is the primary duty and responsibility of the Treasurer to protect, preserve, and maintain cash and investments placed in his trust on behalf of the City. The safety or risk associated with an investment refers to the potential loss of principal, accrued interest or a combination of the two.

4.2 Liquidity. An adequate percentage of the portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets is highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.

4.3 Yield. Yield should become a consideration only after the basic requirements of safety and liquidity have been met. The investment portfolio shall be designed to attain a market average rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash flow characteristics of the portfolio, and State and Local laws, ordinances or resolutions that restrict investments. Examples of yield benchmarks are U. S. Treasuries from bills to 5 year notes and the average Fed Funds Rate.

4.4 Public Trust. All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of public trust. It is the City's intent, at the time of purchase, to hold all investments until maturity. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolios investment return, provided that adequate diversification has been implemented.

5.0 DELEGATION OF AUTHORITY

California Government Code Section 53607 provides the authority of the legislative body of the local agency to invest the funds of the local agency or to delegate that authority to the treasurer of the local agency. The Treasurer is authorized by City ordinance to manage the investment needs of the City. The Treasurer will establish a system of controls to regulate the activities of staff authorized to invest, specifically the Finance Manager or Financial Analyst, and procedures in the absence of the Treasurer.

6.0 ETHICS AND CONFLICTS OF INTEREST

The City Treasurer and those employees that are involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Council any material financial interests in financial institutions that conduct business with their jurisdiction and shall further disclose any large personal financial investment positions that could be related to the performance of the City.

7.0 AUTHORIZED FINANCIAL DEALERS, INSTITUTIONS, AND REGISTERED INVESTMENT ADVISERS

The City shall transact business with nationally or state chartered banks, federal or state savings and loan institutions, registered primary securities dealers and qualified regional dealers under SEC Rule 15c3-1 (net capital rule). The City may engage in the services of an external SEC registered Investment Adviser that possesses experience in public fund management.

7.1 Broker Dealers must:

A. be licensed by the States as a broker dealer, as defined in Section 25004 or the Corporations Code.
B. be a member of the Financial Industry Regulatory Authority (FINRA).
C. offer securities appropriate to the City's needs.
D. have read the City's Investment Policy.

8.0 AUTHORIZED AND SUITABLE INVESTMENTS:

Investment of City funds is governed by the California Government Code Sections 53600, 53601, 53601.5, 53601.6, and 53635. Within the context of the limitations in Figure 1, the following investments are authorized, as further limited herein as updated by California Debt and Investment Advisory Commission January 1, 2024:

INVESTMENT TYPE	MAXIMUM MATURITY[C]	MAXIMUM SPECIFIED % OF PORTFOLIO[D]	MINIMUM QUALITY REQUIREMENTS	GOV'T CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations—CA And Others	5 years	None	None	53601(c) 53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40%[E]	None	53601(g)
Commercial Paper—Non-Pooled Funds[F] (under $100,000,000 of investments)	270 days or less	25% of the agency's money[G]	Highest letter and number rating by an NRSRO[H]	53601(h)(2)(c)
Commercial Paper—Non-Pooled Funds[I] (min. $100,000,000 of investments)	270 days or less	40% of the agency's money[G]	Highest letter and number rating by an NRSRO[H]	53601(h)(2)(c)
Commercial Paper—Pooled Funds[J]	270 days or less	40% of the agency's money[G]	Highest letter and number rating by an NRSRO[H]	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30%[K]	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	50%[L]	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	50%[L]	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days[M]	20% of the base value of the portfolio	None[N]	53601(j)
Medium-Term Notes[O]	5 years or less	30%	"A" rating category or its equivalent or better	53601(k)
Mutual Funds And Money Market Mutual Funds	N/A	20%[P]	Multiple[Q, R]	53601(l) and 53601.6(b)
Collateralized Bank Deposits[S]	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-Through and Asset-Backed Securities[T]	5 years or less[T]	20%	"AA" rating category or its equivalent or better[T]	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple[U]	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund[V]	N/A	None	None	16340
Supranational Obligations[W]	5 years or less	30%	"AA" rating category or its equivalent or better	53601(q)
Public Bank Obligations	5 years	None	None	53601(r), 53635(c) and 57603

Source: CDIAC Local Agency Investment Guide (LAIG), Figure 1
Information as of January 1, 2024[A] and applicable to all local agencies[B]

TABLE OF NOTES FOR FIGURE 1

[A] *Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, 53635.8, and 57603.*

[B] *Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.*

[C] *Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years from the settlement date. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.*

[D] *Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.*

[E] *No more than 30% of the agency's money may be in bankers' acceptances of any one commercial bank.*

[F] *Applies to local agencies, other than counties or a city and county, with less than $100 million of investment assets under management. Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.*

[G] *Local agencies, other than counties or a city and county, may purchase no more than 10% of the outstanding commercial paper and medium-term notes of any single issuer.*

[H] *Issuing corporation must be organized and operating within the U.S., have assets in excess of $500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating organization.*

[I] *Applies to counties or a city and county, and the City of Los Angeles that have $100 million or more of investment assets under management.*

[J] *Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).*

[K] *No more than 30% of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).*

[L] *Effective January 1, 2020, no more than 50% of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30%. Investments made pursuant to 53635.8 remain subject to a maximum of 30% of the portfolio.*

[M] *Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.*

[N] *Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.*

[O] *"Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."*

[P] *No more than 10% invested in any one mutual fund. This limitation does not apply to money market mutual funds.*

[Q] *A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of $500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.*

[R] *A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of $500 million.*

[S] *Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.*

[T] *Security types authorized under Section 53601(o) that are issued or guaranteed by an issuer identified in subdivisions (b) or (f), are not subject to the limitations placed on privately issued securities authorized in Section 53601(o)(2)(A)(B).*

[U] *A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of $500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).*

[V] *Local entities can deposit between $200 million and $10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.*

[W] *Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.*

Source: CDIAC Local Agency Investment Guide (LAIG), Figure 1
Information as of January 1, 2024[A] and applicable to all local agencies[B]

9.0 REVIEW

The securities held by the City must be in compliance with 8.0 Authorized and Suitable Investments at the time of purchase. The Treasurer will review the portfolio at least quarterly to insure securities are still in compliance and determine if it is necessary to report to council any major or critical incidences of noncompliance.

10.0 INVESTMENT POOLS/MUTUAL FUNDS

The City further stipulates that mutual funds/money market mutual funds are restricted to funds that include only permitted investments under 8.0 Authorized and Suitable Investments.

Governmental sponsored pools and/or mutual funds are included in Section 8.0 Authorized and Suitable Investments; therefore, the City must do due diligence and a thorough investigation of the pool and/or fund prior to investing, and on a continual basis. There shall be a questionnaire; any additional pool shall provide the following:

A. A description of eligible investment securities, and a written statement of investment policy and objectives.

B. A description of interest calculations and how it is distributed, and how gains and losses are treated.

C. A description of how the securities are safeguarded (including the settlement processes), and how often are the securities priced and the program audited.

D. A description of who may invest in the program, how often, and what size deposits and withdrawals are allowed.

E. A schedule for receiving statements and portfolio listings.

F. A list of any reserves, retained earnings, etc. utilized by the pool.

G. A fee schedule, when and how it is assessed.

H. Pool eligibility for bond proceeds and/or pool policy on accepting such proceeds.

11.0 COLLATERALIZATION

Collateralization will be required on two types of investments: certificates of deposit and repurchase agreements. Collateral for non-negotiable certificates of deposit must comply with Government Code 53652. In addition, if the CD is not FDIC /NCUA insured or goes over the FDIC/NCUA $250,000 limit, collateral is required equal to 110 percent of market value of principal and accrued interest. Collateral for repurchase agreements shall be 102 percent of market value of principal and accrued interest.

The City chooses to limit collateral to the following: US Treasury securities or Federal Agency securities. This will provide an addition level of security due to inevitable changes in market conditions. Collateral will always be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. The right of collateral substitution is granted, within the parameters and constraints of this Policy.

Section 53649 of the California Government Code specifies that the City Treasurer is responsible for entering into deposit contracts with each depository. Investments held with third parties and applicable collateral for the investment shall be properly collateralized in accordance with requirements of the California Government Code.

12.0 SAFEKEEPING AND CUSTODY

All securities, including collateral for repurchase agreements, entered into by the City shall be held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts.

13.0 DIVERSIFICATION

The City will diversify the investment portfolio by the type of investment, issuer, and maturity dates in order to mitigate risk in the investment portfolio. With the exception of U. S. Treasury securities, Government Agencies, and authorized pools such as LAIF, not more than 30% of the City's total investment portfolio will be invested in a single security type or with a single financial institution. Each Government Agency issuer name is limited to not more than 30% of the City's total investment portfolio.

14.0 MAXIMUM MATURITIES

It is the City's policy to buy and hold investments until maturity. Maturities of investments will be selected based on cash flow requirements. Investments will have a maximum remaining maturity of only the limitations imposed by government statute or five (5) years from purchase, whichever is shorter. Reserve funds may be invested in securities exceeding 5 years based on the permissible investment maturities dictated by the legal documents.

15.0 INTERNAL CONTROLS

A system of internal controls shall be established to prevent losses of public funds arising from fraud, employee error, and misrepresentations of third parties, unanticipated changes in financial markets or imprudent actions by employees of the City. An independent review of internal control and investment practices, policies and procedures will be provided annually by the City's external auditor.

16.0 PERFORMANCE STANDARDS

The investment portfolio shall be invested with the objective of obtaining a market rate of return with considerations to budgetary and economic cycles, commensurate with investment risk constraints and cash flow needs.

17.0 REPORTING

The council has delegated investment authority to the City Treasurer for a one-year period. The Treasurer shall make a monthly report of investment transactions to the legislative body. Section 53607 of the California Government Code states the legislative body, subject to review; many renew the delegation of authority pursuant to this section each year.

18.0 INVESTMENT POLICY ADOPTION

The policy shall be reviewed annually by the Treasurer and City Attorney for any revisions. The policy will be submitted to the City Council for their review and approved each fiscal years.

GLOSSARY

AGENCIES: Federal agency securities and/or Government-sponsored enterprises.

ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR): The official annual report for the City of Hanford. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: Commercial paper is the trade name applied to unsecured promissory notes issued by finance and industrial companies to raise funds on a short term basis.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions buying and selling for his own account.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL AGENCY: Federal agencies are special government organizations set up for a specific purpose. Some examples include: FAMCA, FFCB, FHLB, FHLMC, and FNMA.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to $250,000 per entity.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

LOCAL AGENCY INVESTMENT FUND (LAIF): LAIF was established by the State to enable treasurers to place funds in a pool for investment. Each agency is limited to an investment of $65 million per account.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

NATIONALLY RECOGNIZED STATISTICAL-RATING ORGANIZATION (NRSRO): A nationally recognized statistical rating corporation (NRSRO) is a credit rating agency that issues credit rating that the U.S. Securities and Exchange Commission (SEC) permits other financial firms to use for certain regulatory purposes.

NATIONAL CREDIT UNION ADMINISTRATION (NCUA): Created by the U.S. Congress in 1970, the National Credit Union Administration is an independent federal agency that insures deposits at federally insured credit unions, protects the members who own credit unions, and charters and regulates federal credit unions. Insured CDs up to a 250,000 limit.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) – registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state – the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structure to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, or increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION (SEC): Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** CONSENT CALENDAR

SUBJECT:
Council: Introduction of Ordinance No. 24-06 amending Chapter 3.28 of the Hanford Municipal Code to allow for the reestablishment of the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code with the addition of language regarding the board composition and how the members shall be appointed.

RECOMMENDATION:

Recommendation: That the City Council, by motion, approve the introduction of Ordinance No. 24-06 amending Chapter 3.28 of the Hanford Municipal Code to allow for the reestablishment of the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code with the addition of language regarding the board composition and how the members shall be appointed.

BACKGROUND

On April 2, 2024, as part of a presentation to Council regarding downtown matters, Council discussed the City's Business Improvement Area and the required seven-member board, which must be comprised of business owners in the Downtown, that is tasked with making recommendations to Council on funding and other matters in the Business Improvement Area as it relates to the following:

A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;
B. The decoration of any public place in the area;
C. The promotion of public events which are to take place on or in public places in the area;
D. The furnishing of music in any public place in the area; and
E. The general promotion of retail trade activities in the area.

During that discussion, Council reviewed a district map that includes seven districts (each district contains an equal number of businesses) and directed staff to move forward with municipal code amendments to add that the board members represent the BID by districts to ensure that the BID has broad representation among the entire area.

On May 7, 2024, the City Council approved the Introduction of Ordinance No. 24-05, amending Chapter 3.28 of the Hanford Municipal Code to allow for the reestablishment of the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code with the addition of staggered 4-year terms consistent with other City Committees/Commissions. More specifically, the proposed ordinance amendments would have:

- Increased the terms of the board members to be consistent with other City commissions;

- Amended the duties of the board to go beyond simple budget matters
- Updated various sections related to Business Licensing to be consistent with the current version of Chapters 5.04 and 5.08.
- Amended budget cycle language to be consistent with the City's 2-year budget process.

On June 4, 2024, the Approval and Adoption of the Second Reading of the ordinance to adopt those changes was pulled from the Consent Calendar and Council discussion resulted in a request to bring back a General Business item to reconsider additional language for the ordinance to include a process for how the board would elected/appointed.

On June 18, 2024, the Council directed staff to bring back a new ordinance with additional language regarding the board composition and how the members shall be appointed. This ordinance achieves that goal and staff will come back in the coming weeks with a study session to further discuss the processing for filling the board seats, both initially and when vacancies arise.

FISCAL IMPACT:

There will be no impact to the General Fund related to any changes in the HMC. However, any staff time related to the creation and oversight of an election process would have to be billed to the BID Fund.

ATTACHMENTS:

1. HMC Ordinance 24-06 BID
2. Chapter 3.28 CENTRAL PARKING AND BUSINESS IMPROVEMENT AREA - Redline
3. BIA District Map

ORDINANCE NO. 24-06
AN ORDINANCE OF THE CITY OF HANFORD AMENDING CHAPTER 3.28 OF TITLE 3, GOVERNING THE CENTRAL PARKING AND BUSINESS IMPROVEMENT AREA

The City Council of Hanford does ordain as follows:

Section 1. Chapter 3.28 of Title 3 is amended in the Hanford Municipal Code, to read as follows:

Chapter 3.28

CENTRAL PARKING AND BUSINESS IMPROVEMENT AREA

3.28.010 Authority.

3.28.020 Designation.

3.28.030 Area description.

3.28.040 Use of regular business license taxes within area.

3.28.050 Imposition of tax.

3.28.060 Initial rate of increase or additional levy of business license tax.

3.28.070 Definitions and classifications.

3.28.080 Collection of tax.

3.28.090 Exemption—Voluntary contributions.

3.28.100 Enforcement of provisions.

3.28.110 Proposed uses.

3.28.120 Advisory board.

3.28.130 Regular and additional revenues—Deposits.

3.28.140 Central parking and improvement fund—Established.

3.28.150 Central parking and improvement fund—Use of funds.

3.28.010 Authority.

This chapter is adopted pursuant to the authority of the "Parking and Business Improvement Area Law of 1965," being Sections 36000 et seq. of the Streets and Highway Code of the state. (Prior code § 3-6.101)

3.28.020 Designation.

There is created and established a parking and business improvement area designated as the "central parking and business improvement area of the city of Hanford," hereinafter for brevity and convenience referred to as "area." (Prior code § 3-6.102)

3.28.030 Area description.

A description of the exterior boundaries of said central parking and business improvement area of the city is as follows:

All that certain area situated in the city of Hanford, county of Kings, state of California, more particularly described as follows:

Beginning at the intersection of the center line of Redington Street and Ivy Street; thence northerly along the center line of Redington Street approximately 660 feet to its intersection with the center line of Elm Street; thence easterly along the center line of Elm Street approximately 1,500 feet to the center line of Harris Street; thence southerly along the center line of Harris Street approximately 660 feet to the center line of Ivy Street; thence easterly along the center line of Ivy Street approximately 2,150 feet to the east line of Section 25, said east line being located in the 10th Avenue right-of-way; thence southerly along the east line of said Section 25 approximately 1,300 feet to the north boundary line of the territory annexed by Ordinance No. 651; thence easterly along the boundary line of said annexed territory approximately 190 feet to an angle point in said boundary line, said point being located 10 feet east of the northeast corner of Lot 6 of Block 1 of Orange Addition and also being located on the east line of Assessor's Parcel No. 14-211-10; thence southerly along said line of Assessor's Parcel No. 14-211-10 and its southerly prolongation thereof approximately 180 feet to the south line of Section 30, said: line being located in the Lacey Boulevard right-of-way; thence easterly along the south line of Section 30 a distance of approximately 52.5 feet to its point of intersection with the northeast corner of the territory annexed by Ordinance No. 693, said point being located on a northerly prolongation of the east line of Assessor's Parcel No. 16-011-12 and being also located 12.5 feet east of a northerly prolongation of the west line of Lot 9 of Block X of Manasse and Simon Addition; thence southerly along the east line of the territory annexed by Ordinance No. 693 a distance of approximately 200 feet to the southeast corner of said annexed territory, said corner being located on the south line of the alley in Block X; thence westerly along the south line of last said annexed territory a distance of approximately 242.5 feet to the east line of Section 36, said line being located in the 10th Avenue right-of-way; thence southerly along said section line in 10th Avenue approximately 1,200 feet to its intersection with the construction center line of State Highway 198; thence westerly along said construction center line of State Highway 198 approximately 4,280 feet to its point of intersection with the east line of the A.T.&S.F. Railroad right-of- way, said line being also an east line for the right-of-way for the former City street

named Thornton Street; thence northerly along the east line of said railroad right-of-way and said former street right-of- way and its northerly prolongation thereof to its point of intersection with the south line of Section 25; thence westerly along the south line of said Section 25 approximately 150 feet to its point of intersection with the center line of Park Avenue; thence northerly along the center line of Park Avenue approximately 1,500 feet to its intersection with the center line of Ivy Street; thence easterly along the center line of Ivy Street approximately 1,050 feet to the point of beginning. (Prior code § 3-6.103)

3.28.040 Use of regular business license taxes within area.

Effective July 1, 1975, all revenue from the regular business license taxes collected pursuant to Chapters 5.04 and 5.08 within the central parking and business improvement area of the city of Hanford shall be credited to the central parking and improvement fund for use as established by Sections 3.28.140 and 3.28.150. (Prior code § 3-6.104)

3.28.050 Imposition of tax.

Effective July 1, 1975, there is imposed an initial rate of increase or additional levy of business license tax upon all permanent businesses located within the boundaries of the central parking and business improvement area of the city established by this chapter and which businesses are required to pay a business license tax upon a monthly or quarterly basis under the provisions of Chapter 5.04. (Prior code § 3-6.105)

3.28.060 Initial rate of increase or additional levy of business license tax.

The additional levy of the license tax imposed upon businesses within said area is hereby fixed, levied, determined and established as follows:

A. An amount equal to one hundred (100) percent of the business license taxes imposed by Chapters 5.04 and 5.08, and subsequent amendments thereto, as the same applies to permanent businesses located within said proposed area and which are required to pay a license tax, excluding those businesses which pay license fees based upon average monthly gross receipts; and

B. When the amount of the license fee required by the provisions of Chapters 5.04 and 5.08, and subsequent amendments thereto, applies to permanent businesses located within said proposed area which pay a license tax based upon the amount of gross receipts from the sales of business transacted, the additional levy imposed shall be as follows:

1. An amount equal to one hundred (100) percent on gross annual sales up to five hundred thousand dollars ($500,000.00) per business,

2. An amount equal to fifty (50) percent on all portions of gross annual sales between five hundred thousand dollars ($500,000.00) and one million dollars ($1,000,000.00) per business, and

3. An amount equal to twenty-five percent (25) on all portions of gross annual sales exceeding one million dollars ($1,000.000.00) per business. (Prior code § 3-6.106)

3.28.070 Definitions and classifications.

The definitions and classifications of business shall be determined by the definitions and classifications set forth in Chapter 5.04 and 5.08 as the same apply to businesses within the area. (Prior code § 3-6.107)

3.28.080 Collection of tax.

The collection of the initial rate of increase or additional levy of business license tax imposed by this chapter shall be made at the same time and in the same manner as the ordinary business license taxes of the city under the provisions of Chapter 5.04 and 5.08 as the same apply to businesses which are required to pay a license tax upon a monthly or quarterly basis. Such tax shall be computed in the manner provided for in Chapter 5.04 and 5.08 and shall be due and payable and subject to the same penalties for delinquencies as provided in Chapter 5.04 and 5.08 of this title as the same applies to businesses paying a regular business license tax on a quarterly or monthly basis. (Prior code § 3-6.108)

3.28.090 Exemption—Voluntary contributions.

Any business, person or institution located within said area, or which is exempt from the payment of the ordinary business license taxes of the city by reason of the laws of the United States or the state shall not be taxed under this chapter but may make a voluntary contribution to the city. Such contributions shall be used for the purposes provided in Section 3.28.110. (Prior code § 3-6.109)

3.28.100 Enforcement of provisions.

It shall be the duty of the director of finance and his or her designee to enforce the provisions of this chapter. The director of finance and his or her designee shall have the power to enforce business license requirements as set forth in Chapter 5.04

3.28.110 Proposed uses.

The uses to which the business license tax imposed by Chapter 5.04 and 5.08 and the additional revenues received by the initial rate of increase or additional levy of business license tax imposed by this chapter and all voluntary contributions are to be put are as follows:

A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;

B. The decoration of any public place in the area;

C. The promotion of public events which are to take place on or in public places in the area;

D. The furnishing of music in any public place in the area; and

E. The general promotion of retail trade activities in the area. (Prior code § 3-6.111)

3.28.120 Advisory board.

For the sole purpose of advising the council and making recommendations on the operation and extent of the area, the methods and ways in which the revenue derived from the levy of the license tax imposed by this chapter shall be used within the scope of the purposes set forth in Section 3.28.110, of this article, and to have and to perform such other powers and duties as the council may determine, there shall be created an advisory board, which shall consist of seven (7) members. Each member shall be selected by the businesses of each district and be known as the district representative. Each district will put forth their district representative to be appointed by the mayor, with the concurrence of the council, for a term of four (4) years, to serve at the pleasure of the mayor and the council, said members to be persons who have businesses within the area that pay an additional levy of license tax as provided for by this chapter. The council may, approve a budget, consistent with the budget cycle used by the City. to include an estimate of expenditures to be made to carry out the purposes of the central parking and business improvement area of the city. (Prior code § 3-6.112)

3.28.130 Regular and additional revenues—Deposits.

The revenues received by the business license tax imposed by Chapters 5.04 and 5.08 from businesses within the area and the additional rate of increase or additional levy of business license tax imposed by this chapter and all voluntary contributions shall be deposited in the central parking and improvement fund created by Section 3.28.140. (Prior code § 3-6.113)

3.28.140 Central parking and improvement fund—Established.

There is established in the city a fund to be designated as the "central parking and improvement fund." (Prior code § 3-6.201)

3.28.150 Central parking and improvement fund—Use of funds.

All revenues deposited in the central parking and improvement fund shall be used for the following purposes:

A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;

B. The decoration of any public place in the area;

C. The promotion of public events which are to take place on or in public places in the area;

D. The furnishing of music in any public place in the area; and

E. The general promotion of retail trade activities in the area.

Section 2: This Ordinance shall take effect thirty (30) days after its adoption and shall be published once in the Hanford Sentinel within fifteen (15) days after its passage or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2024 by the following vote:
AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

_____
TRAVIS PADEN
MAYOR of the City of Hanford

Attest:

_____
NATALIE CORRAL
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss
CITY OF HANFORD)

I, _____, City Clerk of the City of Hanford, do hereby certify the foregoing Ordinance was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the _____ day of _____, 2024.

Date: _____ _____
City Clerk

Chapter 3.28 CENTRAL PARKING AND BUSINESS IMPROVEMENT AREA

3.28.010 Authority.

3.28.020 Designation.

3.28.030 Area description.

3.28.040 Use of regular business license taxes within area.

3.28.050 Imposition of tax.

3.28.060 Initial rate of increase or additional levy of business license tax.

3.28.070 Definitions and classifications.

3.28.080 Collection of tax.

3.28.090 Exemption—Voluntary contributions.

3.28.100 Enforcement of provisions.

3.28.110 Proposed uses.

3.28.120 Advisory board~~—Budget~~.

3.28.130 Regular and additional revenues—Deposits.

3.28.140 Central parking and improvement fund—Established.

3.28.150 Central parking and improvement fund—Use of funds.

3.28.010 Authority.

This chapter is adopted pursuant to the authority of the “Parking and Business Improvement Area Law of 1965,” being Sections 36000 et seq. of the Streets and Highway Code of the state. (Prior code § 3-6.101)

3.28.020 Designation.

There is created and established a parking and business improvement area designated as the “central parking and business improvement area of the city of Hanford,” hereinafter for brevity and convenience referred to as “area.” (Prior code § 3-6.102)

3.28.030 Area description.

A description of the exterior boundaries of said central parking and business improvement area of the city is as follows:

All that certain area situated in the city of Hanford, county of Kings, state of California, more particularly described as follows:

Beginning at the intersection of the center line of Redington Street and Ivy Street; thence northerly along the center line of Redington Street approximately 660 feet to its intersection with the center line of Elm Street; thence easterly along the center line of Elm Street approximately 1,500 feet to the center line of Harris Street; thence southerly along the center line of Harris Street approximately 660 feet to the center line of Ivy Street; thence easterly along the center line of Ivy Street approximately 2,150 feet to the east line of Section 25, said east line being located in the 10th Avenue right-of-way; thence southerly along the east line of said Section 25 approximately 1,300 feet to the north boundary line of the territory annexed by Ordinance No. 651; thence easterly along the boundary line of said annexed territory approximately 190 feet to an angle point in said boundary line, said point being located 10 feet east of the northeast corner of Lot 6 of Block 1 of Orange Addition and also being located on the east line of Assessor’s Parcel No. 14-211-10; thence southerly along said line of Assessor’s Parcel No. 14-211-10 and its southerly prolongation thereof approximately 180 feet to the south line of Section 30, said: line being located in the Lacey Boulevard right-of-way; thence easterly along the south line of Section 30 a distance of approximately 52.5 feet to its point of intersection with the northeast corner of the territory annexed by Ordinance No. 693, said point being located on a northerly prolongation of the east line of Assessor’s Parcel No. 16-011-12 and being also located 12.5 feet east of a northerly prolongation of the west line of Lot 9 of Block X of Manasse and Simon Addition; thence southerly along the east line of the territory annexed by Ordinance No. 693 a distance of approximately 200 feet to the southeast corner of said annexed territory, said corner being located on the south line of the alley in Block X; thence westerly along the south line of last said annexed territory a distance of approximately 242.5 feet to the east line of Section 36, said line being located in the 10th Avenue right-of-way; thence southerly along said section line in 10th Avenue approximately 1,200 feet to its intersection with the construction center line of State Highway 198; thence westerly along said construction center line of State Highway 198 approximately 4,280 feet to its point of intersection with the east line of the A.T.&S.F. Railroad right-of-way, said line being also an east line for the right-of-way for the former City street named Thornton Street; thence northerly along the east line of said railroad right-of-way and said former street right-of-way and its northerly prolongation thereof to its point of intersection with the south line of Section 25; thence westerly along the south line of said Section 25 approximately 150 feet to its point of intersection with the center line of Park Avenue; thence northerly along the center line of Park Avenue approximately 1,500 feet to its intersection with the center line of Ivy Street; thence easterly along the center line of Ivy Street approximately 1,050 feet to the point of beginning. (Prior code § 3-6.103)

3.28.040 Use of regular business license taxes within area.

Effective July 1, 1975, all revenue from the regular business license taxes collected pursuant to Chapters 5.04 and 5.08 within the central parking and business improvement area of the city of Hanford shall be credited to the central parking and improvement fund for use as established by Sections 3.28.140 and 3.28.150. (Prior code § 3-6.104)

3.28.050 Imposition of tax.

Effective July 1, 1975, there is imposed an initial rate of increase or additional levy of business license tax upon all permanent businesses located within the boundaries of the central parking and business improvement area of the city established by this chapter and which businesses are required to pay a business license tax upon a monthly or quarterly basis under the provisions of Chapter 5.04. (Prior code § 3-6.105)

3.28.60 Initial rate of increase or additional levy of business license tax.

The additional levy of the license tax imposed upon businesses within said area is hereby fixed, levied, determined and established as follows:

A. An amount equal to one hundred (100) percent of the business license taxes imposed by Chapters 5.04 and 5.08, and subsequent amendments thereto, as the same applies to permanent businesses located within said proposed area and which are required to pay a license tax ~~upon a monthly or quarterly basis~~, excluding those businesses which pay ~~quarterly~~ license fees based upon average monthly gross receipts; and

B. When the amount of the license fee required by the provisions of Chapters 5.04 and 5.08, and subsequent amendments thereto, applies to permanent businesses located within said proposed area which pay a ~~quarterly~~ license tax based upon the amount of gross receipts from the sales of business transacted, the additional levy imposed shall be as follows:

1. An amount equal to one hundred (100) percent on gross annual sales up to five hundred thousand dollars ($500,000.00) per business,

2. An amount equal to fifty (50) percent on all portions of gross annual sales between five hundred thousand dollars ($500,000.00) and one million dollars ($1,000,000.00) per business, and

3. An amount equal to twenty-five percent (25) on all portions of gross annual sales exceeding one million dollars ($1,000.000.00) per business. (Prior code § 3-6.106)

3.28.070 Definitions and classifications.

The definitions and classifications of business shall be determined by the definitions and classifications set forth in Chapter 5.04 and 5.08 as the same apply to businesses within the area. (Prior code § 3-6.107)

3.28.080 Collection of tax.

The collection of the initial rate of increase or additional levy of business license tax imposed by this chapter shall be made at the same time and in the same manner as the ordinary business license taxes of the city under the provisions of Chapter 5.04 and 5.08 as the same apply to businesses which are required to pay a license tax upon a monthly or quarterly basis. Such tax shall be computed in the manner provided for in Chapter 5.04 and 5.08 and shall be due and payable and subject to the same penalties for delinquencies as provided in Chapter 5.04 and 5.08 of this title as the same applies to businesses paying a regular business license tax on a quarterly or monthly basis. (Prior code § 3-6.108)

3.28.090 Exemption—Voluntary contributions.

Any business, person or institution located within said area, or which is exempt from the payment of the ordinary business license taxes of the city by reason of the laws of the United States or the state shall not be taxed under this chapter but may make a voluntary contribution to the city. Such contributions shall be used for the purposes provided in Section 3.28.110. (Prior code § 3-6.109)

3.28.100 Enforcement of provisions.

It shall be the duty of the director of finance and his or her designee~~deputies~~ to enforce the provisions of this chapter. The director of finance and his or her designee ~~deputies and the police officers~~ shall have the power to enforce business license requirements as set forth in Chapter 5.04~~enter, free of charge, at any time, any place of business for which such license is required and to demand the exhibition of such license. It shall be the duty of all police officers to cause complaints to be filed against all persons violating any of the provisions of this chapter. (Prior code § 3-6.110)~~

3.28.110 Proposed uses.

The uses to which the business license tax imposed by Chapter 5.04 and 5.08 and the additional revenues received by the initial rate of increase or additional levy of business license tax imposed by this chapter and all voluntary contributions are to be put are as follows:

A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;

B. The decoration of any public place in the area;

C. The promotion of public events which are to take place on or in public places in the area;

D. The furnishing of music in any public place in the area; and

E. The general promotion of retail trade activities in the area. (Prior code § 3-6.111)

3.28.120 Advisory board~~—Budget~~.

For the sole purpose of advising the council and making recommendations on the operation and extent of the area, the methods and ways in which the revenue derived from the levy of the license tax imposed by this chapter shall be used within the scope of the purposes set forth in Section 3.28.110, of this article, and to have and to perform such other powers and duties as the council may determine, there shall be created an advisory board, which shall consist of seven (7) members. Each member shall be selected by the businesses of each district and be known as the district representative. Each district will put forth their district representative to be appointed by the mayor, with the concurrence of the council, for a term of ~~one~~ four (4) years, to serve at the pleasure of the mayor and the council, said members to be persons who have businesses within the area that pay an additional levy of license tax as provided for by this chapter. The council may, ~~annually~~ approve a budget, consistent with the budget cycle used by the City. to include an estimate of expenditures to be made to carry out the purposes of the central parking and business improvement area of the city. (Prior code § 3-6.112)

3.28.130 Regular and additional revenues—Deposits.

The revenues received by the business license tax imposed by Chapters 5.04 and 5.08 from businesses within the area and the additional rate of increase or additional levy of business license tax imposed by this chapter and all voluntary contributions shall be deposited in the central parking and improvement fund created by Section 3.28.140. (Prior code § 3-6.113)

3.28.140 Central parking and improvement fund—Established.

There is established in the city a fund to be designated as the “central parking and improvement fund.” (Prior code § 3-6.201)

3.28.150 Central parking and improvement fund—Use of funds.

All revenues deposited in the central parking and improvement fund shall be used for the following purposes:

A. The acquisition, construction or maintenance of parking facilities for the benefit of the area;

B. The decoration of any public place in the area;

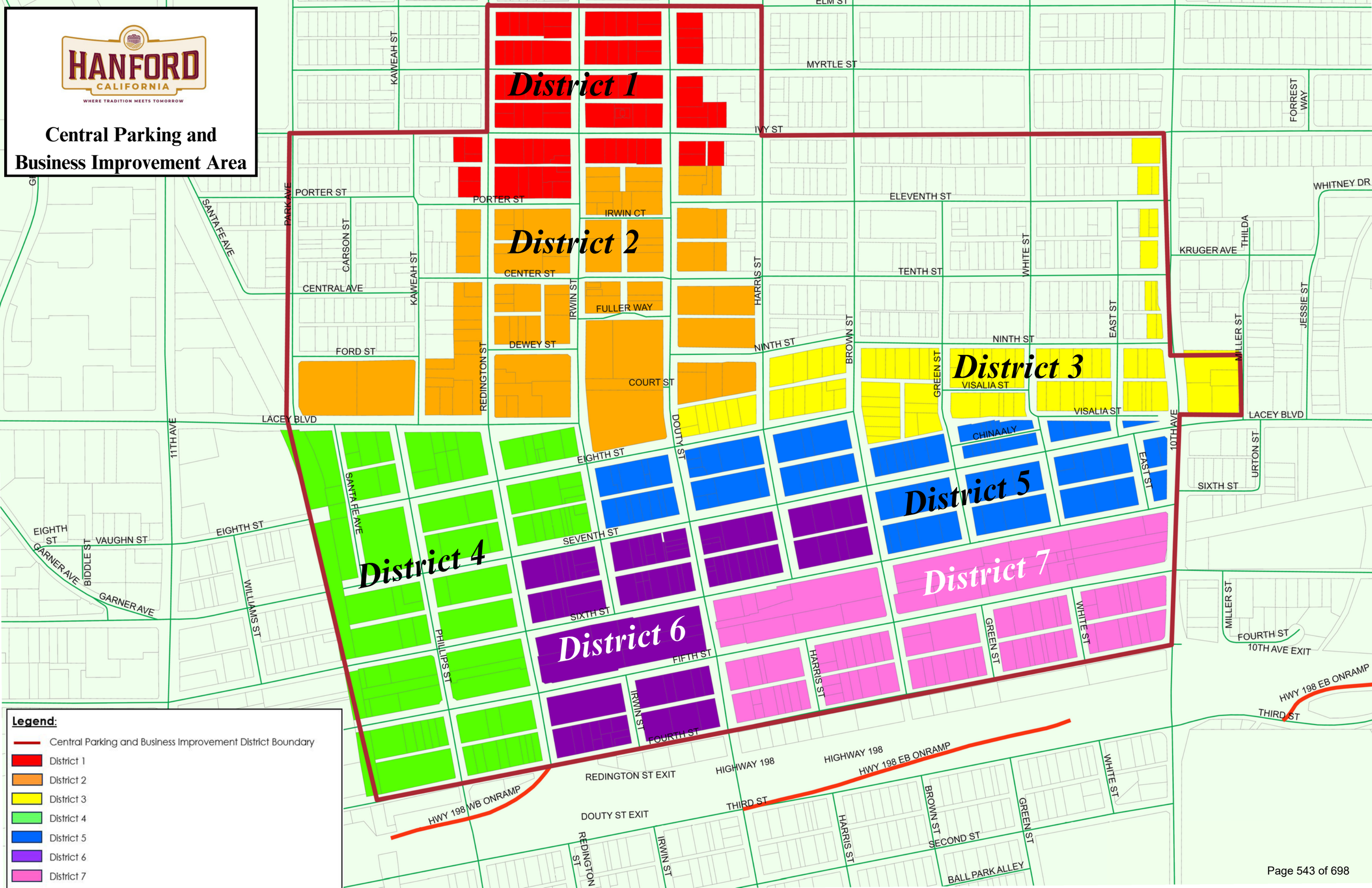
C. The promotion of public events which are to take place on or in public places in the area;

D. The furnishing of music in any public place in the area; and

E. The general promotion of retail trade activities in the area. (Prior code § 3-6.202)

HANFORD CALIFORNIA
WHERE TRADITION MEETS TOMORROW

Central Parking and Business Improvement Area



Legend:

- Central Parking and Business Improvement District Boundary
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** PUBLIC HEARING

SUBJECT:
A public hearing to consider the Adoption of Resolution 24-22-R Ordering the Levy and Collection of Assessments as outlined in the 2023/2024 Annual Engineer's Report, which has been prepared pursuant to Chapter 3 of the Landscape and Lighting Act of 1972. The proposed assessments outlined in the Engineer's Report are less than or equal to the authorized maximum assessment for each Landscape Assessment District.

RECOMMENDATION:

Recommendation: A public hearing to consider the Adoption of Resolution 24-22-R Ordering the Levy and Collection of Assessments as outlined in the 2023/2024 Annual Engineer's Report, which has been prepared pursuant to Chapter 3 of the Landscape and Lighting Act of 1972.

BACKGROUND:

In accordance with Chapter 3 of the Landscaping and Lighting Act of 1972 ("Act"), an Annual Engineer's Report addressing adjustments based on a review of the costs of maintenance of public improvements must be prepared and submitted to the City Council for action. The Streets and Highway Code, as referenced in the Act, requires the holding of a public hearing for Landscape Districts identified in the Annual Engineer's Report as showing an increase, decrease, or no change in the annual assessment amount.
A public hearing will be held at the City Council meeting on July 2, 2024. The City Council shall consider all public input before taking final action on confirming and levying the assessments proposed in the Annual Engineer's Report. Regarding the Districts identified in the Annual Engineer's Report showing an increase in the annual assessment amount, the City Council must consider all protests against the proposed increase in the assessment amount and tabulate any protests delivered to the City before the close of the public hearing. Per Article XXX D, Section 4 of the California Constitution, if the ballots submitted in opposition to the increased assessment exceed those submitted in favor of the increased assessment, the assessment amount shall not be increased. If the increase in the assessment to maintain the current level of service for the existing landscape area is voted down, the current level of service may be reduced. In tabulating the protests, the protests shall be weighed according to the proportional financial obligation of each affected parcel of real property.
The Annual Engineer's Report identifies an increase in the annual assessment from the previous year and the reasons for the increase, including the imposition of 2.8% Standard Annual CPI Increase (December 2023) in accordance with California Government Code section 53739(b)(1) for the following Districts:

District Name

93-02 Vintage Estates
01-01 Pacific Grove Units 1 through 3 and N. Pointe Units 1 through 4
01-02 Cambridge Homes Units 1 through 3
01-03 Poppy Hills Units 1 and 2
01-04 Silver Oaks Units 1 through 5
02-01 Ashton Park Units 1 through 4
03-01 Le Parc Units 1 through 3
04-01 Sidonia Units 1 and 2 and Sidonia Estates II
04-02 Cambridge Homes/Majesty II, #2
04-03 Cambridge Homes - Majesty - #2, Cambridge Homes Units 1 through 6, Cambridge Homes - Vineyards Units1 through 4
04-04 Sierra Heights Units 1 and 2
05-01 Mission Park
05-02 Cooper Valley
06-01 Quail Park Subdivision
07-02 South Gate Addition, Greenbrier Gardens, and Live Oak North
09-01 Victory Estates
09-02 Independence Units 1 and 2
14-01 Independence Units 3 and 4
15-01 Silver Oaks Addition III Units 1 and 2, Lennar Homes Units 1 and 2, and Lennar Homes
15-02 The Greens II
16-01 Woodside Homes
16-02 Mynderup Units 1 and 2
18-01 Bella Vista Units 1 through 4
19-01 Pacific Grove Addition II
19-02 The Enclave
20-01 Woodside Homes
21-01 San Joaquin Valley Homes

The 2023/2024 Annual Engineer's Report identifies the maximum assessment rates are at the maximum assessment rate and do not include an inflationary adjustment for the following Districts"
90-01 Pinecastle Addition Units 1 and 2
90-02 Park Monterey Units 1 and 2
90-03 Massionette Estates Unit 7 and 8
90-04 Hyde Park
91-01 Sierra Vista
92-01 Portofino Estates
92-02 Cielo En Tierra No. 1
93-01 Vintage Estates
94-01 Gateway Estates
94-02 Stonecrest Units 1 through 9
94-03 Quail Run
97-01 Rosewood Estates
97-02 Summer Field
97-03 Country Crossing Units 1 through 5
98-01 Crystal Springs
98-02 Mountain View Estates Units 1 through 6

The Annual Assessments for each of the remaining Districts are at or below Fiscal Year 2023/2024. The Annual Engineer’s Report also provides the following information as required by Article XIII D, Section 4 of the California Constitution:

1. Identifies all real property parcels with a special benefit conferred upon them and upon which the assessment will be imposed.
2. Determines the appropriate special benefit derived by each parcel of the real property in relation to the entirety of the cost of maintenance of the public improvements.
3. Identifies the special benefit conferred on each parcel of real property.
4. Establishes that the assessment imposed on each parcel of real property does not exceed the reasonable cost of the proportionate special benefit conferred on that parcel of real property.

FISCAL IMPACT:

ATTACHMENTS:

1. RESOLUTION 24-22-R Intent to Levy and Collect Assessments
2. FY24-25 Hanford LLMD Consolidated ER (06.26.24 Updated Signed ER, IM 06.18.24, PH 07.02.24)

RESOLUTION NO. 24-22-R

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HANFORD ORDERING THE LEVY
AND COLLECTION OF ASSESSMENTS

At a regular meeting of the City Council of the City of Hanford duly called and held on July 2, 2024 at 7:00 p.m., it was moved by Council Member_____, seconded by Council Member _____, and duly carried that the following resolution be adopted:

WHEREAS, pursuant to the California Landscaping & Lighting Act of 1972 (″Act″), the City of Hanford has established the following landscape and lighting assessment districts within the City limits of the City of Hanford.

ASSESSMENT DISTRICTS

90-01 Pinecastle Addition, Unit No. 1, 2, 3 and 4 – (Located East of 10th Avenue and North of Fargo Avenue)
90-02 Park Monterey, Unit No. 1 and 2 – (Located West of Douty Street and North of Sherwood Drive)
90-03 Mansionette Estates, No. 7 and 8 – (Located West of Douty Street and North Encore Drive)
90-04 Hyde Park – (Located East of 12th Avenue and North of Hanford-Armona Road)
91-01 Sierra Vista (Tract 641)/New Dimensions (Tract 703/713), No. 1, 2, 3, 4, 5 and 6 – (Located West of 11th Avenue and South of Hanford-Armona Road)
92-01 Portofino, No. 1, 2, 3 and 4 – (Located East of Neill Way and South of Fargo Avenue)
92-02 Cielo En Tierra, No. 1, 2, 3, 4 and 5 – (Located West of 11th Avenue and South of Fargo Avenue)
93-01 Vintage Estates – (Located West of 12th Avenue and North of Grangeville Boulevard)
93-02 Walnut Forest, No. 1, 2 and 3 – (Located West of 11th Avenue and North of Hume Avenue)
94-01 Gateway Estates – (Located West of 10th Avenue and North of Encore Drive)
94-02 Stonecrest, No. 1, 2, 3, 4, 5, 6, 7, 8 and 9 – (Located West of 11th Avenue and North of Fargo Avenue)
94-03 Quail Run Estates, No. 1, 2, 3, 4 and 5 – (Located East of 11th Avenue and North of Pepper Drive)
97-01 Rosewood Estates, No. 1 and 2 – (Located East of 12th Avenue and South of Grangeville Boulevard)
97-02 Summer Field Addition, No. 2 – (Located West 91/4 Avenue and South of Florinda Street)
97-03 Country Crossing, No. 1, 2, 3, 4 and 5 – (Located West of Centennial Drive and North of Lacey Boulevard)
98-01 Crystal Springs, No. 1, 2 and 3 – (Located West of 91/4 Avenue and North of Grangeville Boulevard)

98-02 Mountain View Estates, No. 1, 2, 3, 4, 5 and 6 – (Located West of 11th Avenue and North of Houston Avenue)

01-01 Pacific Grove (Tract 680/777)/N. Pointe (Tract 778), No. 1, 2, 3 and 4 – (Located East of 12th Avenue and North of Grangeville Boulevard)

01-02 Cambridge Homes (Tract 770), No. 1, 2 and 3 – (Located West of 11th Avenue and North of Pepper Drive)

01-03 Poppy Hills, No. 1 and 2 – (Located West of 11th Avenue and North of Pepper Drive)

01-04 Silver Oaks, No. 1, 2, 3, 4 and 5 – (Located West of 12th Avenue and North of Grangeville Boulevard)

02-01 Ashton Park, No. 1, 2, 3 and 4 – (Located West of 12th Avenue and North of Lacey Boulevard)

03-01 La Parc, No. 1, 2 and 3 – (Located West of 11th Avenue and South of Fargo Avenue)

04-01 Sidonia Estates, No. 1 and 2 (Tract 810)/Sidonia Estates II (Tract 814) – (Located East of 12th Avenue and North of Hume Avenue)

04-02 Cambridge Homes (Tract 799)/Majesty II (Tract 830) – (Located East of 11th Avenue and South of Flint Avenue)

04-03 Cambridge Homes (Tract 795/826)/Vineyards (Tract 825), No. 1, 2, 3, 4, 5 and 6 – (Located East of 12th Avenue and South of Fargo Avenue)

04-04 Sierra Heights (Tract 802/803), No. 1 and 2 – (Located West of 9th Avenue and North of Fargo Avenue)

05-01 Mission Park – (Located West of Highway 43 and South of Flint Avenue)

05-02 Copper Valley – (Located West of 12th Avenue and South of Fargo Avenue)

06-01 Quail Park Subdivision – (Tract 794), No. 1 and 2, Located West of 11th Avenue and South of Flint Avenue)

07-02 South Gate Addition – (Tract 811)/Greenbrier Gardens (876)/ Live Oak North (902) - (Located West of 12th Avenue and South of Hanford-Armona Road)

09-01 Victory Estates – (Located West of University Avenue and North of Grangeville Boulevard)

09-02 Independence (Tract 843), No. 1 and 2 - (Located West of 12th Avenue and North of Greenfield Avenue)

14-01 Independence (Tract 843), No. 3 and 4 - (Located West of 12th Avenue and North of Merritt Street)

15-01 Silver Oaks Addition III (Tract 887/922), No. 1, 2, and 3 - (Located West of Centennial Drive and North of West Berkshire Lane)

15-02 The Greens II (Tract 823) - (Located West of 9 ¼ Avenue and North of Grangeville Boulevard)

16-01 Woodside Homes (Tract 917) – (Located West of Centennial Drive and South of Grangeville Blvd)

16-02 Myderup (Tract 914), No. 1 and 2 – (Located East of 12th Avenue and North of Hume Avenue)

18-01 Bella Vista (Tract 918/919), No. 1, 2, and 3 – (Located West of Centennial Drive and South of Fargo Avenue)

19-01 Pacific Grove Addition No. 2 (Tract 916) – (Located East of 12th Avenue and North of Bristol Lane)

19-02 Enclave (Track 915) – (Located South of Lacey Blvd. and West Centennial Ave.)

20-01 Woodside Homes (Track 928) – (Located North of Centennial Ave and South of 12th Ave.)

21-01 San Joaquin Valley Homes (Track 929) – (Located North of 13th Ave and West of Devon St.)

(collectively ″Districts″).

WHEREAS, pursuant to the Act, it is necessary that the City Council review an annual report (″Engineer's Report″), which sets forth a full and detailed description of the improvements and boundaries of each District and any zones therein and the proposed annual assessments to be levied upon assessable lots and parcels of land within each District;

WHEREAS, Willdan Financial Services, the appointed Assessment Engineer for the City of Hanford has prepared and filed with the City Clerk, an Engineer's Report for fiscal year 2023/2024 pursuant to Chapter 3 of the Act, which includes: (1) a full and detailed description of the improvements and boundaries of each District and any zones therein; (2) identifies the proposed annual assessments upon assessable lots and parcels of land within each District; (3) identifies all parcels of real property which will have a special benefit conferred upon them and upon which the assessment will be imposed; (4) determines the proportionate special benefit derived by each parcel of real property in relationship to the entirety of the cost of maintenance of the public improvements; (5) identifies the special benefit conferred on parcels of real property; and (6) establishes that the assessment imposed on each parcel of real property does not exceed the reasonable cost of the proportionate special benefit conferred on that parcel of real property.

WHEREAS, the Engineer's Report identifies an increase in the annual assessment from the previous year and the reasons for the increase, including the imposition of 2.8% Annual CPI Increase (December 2023) in accordance with California Government Code section 53739(b)(1) for the following Districts:

1.	93-02	Walnut Forest Units 1 through 3
2.	01-01	Pacific Grove Units 1 through 3 and N. Pointe Units 1 through 4
3.	01-02	Cambridge Homes Units 1 through 3
4.	01-03	Poppy Hills Units 1 and 2
5.	01-04	Silver Oaks Units 1 through 5
6.	02-01	Ashton Park Units 1 through 4
7.	03-01	Le Parc Units 1 through 3
8.	04-01	Sidonia Units 1 & 2 and Sidonia Estates II
9.	04-02	Cambridge Homes/Majesty II, #2
10.	04-03	Cambridge Homes-Majesty II #2, Cambridge Homes Units 1 through 6, Cambridge Homes-Vineyards Units 1 through 4
11.	04-04	Sierra Heights Units 1 and 2
12.	05-01	Mission Park
13.	05-02	Copper Valley
14.	06-01	Quail Park Subdivision

15.	07-02	South Gate Addition, Greenbrier Gardens, & Live Oak North
16.	09-01	Victory Estates
17.	09-02	Independence Units 1 & 2
18.	14-01	Independence Units 3 & 4
19.	15-01	Silver Oak Addition II Units 1 and 2, and Lennar Homes
20.	15-02	The Greens II
21.	16-01	Woodside Homes
22.	16-02	Mynderup Units 1 and 2
23.	18-01	Bella Vista Units 1 through 4
24.	19-01	Pacific Grove Addition II
25.	19-02	The Enclave
26.	20-01	Woodside Homes
27.	21-01	San Joaquin Homes

WHEREAS, the Report identifies the maximum assessments rates are at the maximum assessment rate and do not include an inflationary adjustment for the following Districts:

28.	90-01	Pinecastle Addition, Units 1 through 4
29.	90-02	Park Monterey, Units 1 and 2
30.	90-03	Mansionette Estates, Units 7 and 8
31.	90-04	Hyde Park
32.	91-01	Sierra Vista
33.	92-01	Portofino Estates
34.	92-02	Cielo En Tierra, No. 1
35.	93-01	Vintage Estates
36.	94-01	Gateway Estates
37.	94-02	Stonecrest, Units 1 through 9
38.	94-03	Quail Run
39.	97-01	Rosewood Estates
40.	97-02	Summer Field
41.	97-03	Country Crossing, Units 1 through 5
42.	98-01	Crystal Springs
43.	98-02	Mountain View Estates, Units 1 through 6

WHEREAS, the existing improvements within each District include decorative block fencing, landscaping and irrigation systems;

WHEREAS, interested parties should refer to the Engineer's Report, a copy of which is on file with the City Clerk for the City of Hanford, for a full and detailed description of the improvements, the boundaries of the assessment districts and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the districts;

WHEREAS, there are no substantial changes proposed to the existing improvements in any District; and

WHEREAS, Streets and Highways Code Section 22624(e) requires the City Council of the City of Hanford to give notice of the time and place for hearing by the City's legislative body on the levy of the proposed assessments.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hanford approves the Engineer's Report as submitted for each District;

RESOLVED FURTHER, that the City Council of the City of Hanford declares its intention to levy and collect assessments for fiscal year 2024/2025 within each respective District and each lot thereof, as set forth in the Engineer's Report for fiscal year 2024/2025.

RESOLVED FURTHER, that the City Council of the City of Hanford shall hold a public hearing on the levy of the proposed assessments set forth in the Engineer's Report, which public hearing shall occur on July 2, 2024 at the hour of 7:00 p.m., in the City Council Chambers of the Civic Auditorium in Hanford, California. At such public hearing, affected property owners will be afforded an opportunity to give oral testimony and submit written comments regarding the proposed assessments.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Hanford at a meeting thereof held on July 2, 2024 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

_____

TRAVIS PADEN
MAYOR of the City of Hanford

Attest:

_____

NATALIE CORRAL
CITY CLERK

City of Hanford

Fiscal Year 2024/2025
Consolidated Engineer's Report
Landscaping and Lighting Assessment Districts

Incorporating Forty-three District Numbers:
90-01, 90-02, 90-03, 90-04, 91-01, 92-01, 92-02, 93-01, 93-02, 94-01, 94-02, 94-03, 97-01, 97-02, 97-03, 98-01, 98-02, 01-01, 01-02, 01-03, 01-04, 02-01, 03-01, 04-01, 04-02, 04-03, 04-04, 05-01, 05-02, 06-01, 07-02, 09-01, 09-02, 14-01, 15-01, 15-02, 16-01, 16-02, 18-01, 19-01, 19-02, 20-01, and 21-01

Intent Meeting: June 18, 2024

Public Hearing: July 2, 2024

CITY OF HANFORD
400 N. DOUTY ST.
HANFORD, CA 93230

JUNE 2024
PREPARED BY
WILLDAN FINANCIAL SERVICES

27368 Via Industria
Suite 200
Temecula, CA 92590
T. 951.587.3500|800.755.6864
F. 951.587.3510|888.326.6864

Property Tax Information Line
T. 866.807.6864

www.willdan.com

WILLDAN Financial Services

ENGINEER'S REPORT AFFIDAVIT

City of Hanford
Landscaping and Lighting Assessment Districts
Fiscal Year 2024/2025

City of Hanford,
Kings County, State of California

This Report and the enclosed descriptions, budgets and diagram outline the proposed improvements and assessments for the forty-three (43) Landscaping and Lighting Assessment Districts in the City of Hanford for fiscal year 2024/2025, which includes each lot, parcel, and subdivision of land within District Nos. 90-01, 90-02, 90-03, 90-04, 91-01, 92-01, 92-02, 93-01, 93-02, 94-01, 94-02, 94-03, 97-01, 97-02, 97-03, 98-01, 98-02, 01-01, 01-02, 01-03, 01-04, 02-01, 03-01, 04-01, 04-02, 04-03, 04-04, 05-01, 05-02, 06-01, 07-02, 09-01, 09-02, 14-01, 15-01, 15-02, 16-01, 16-02, 18-01, 19-01, 19-02, 20-01, and 21-01, as the same existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Kings County Assessor's maps for a detailed description of the lines and dimensions of parcels within the Districts. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 19th day of June, 2024.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Hanford

By: _____
Jim McGuire
Principal Consultant, Project Manager

By: _____
Tyrone Peter
PE # C 81888

REGISTERED PROFESSIONAL ENGINEER
TYRONE PETER
NO. 81888
CIVIL ENGINEER
STATE OF CALIFORNIA

Table of Contents

Introduction 1

Report Content and Annual Proceedings 2

Part I - Plans and Specifications 5

Description of Improvements 5

Specific District Improvements and Services 6

Part II - Method of Apportionment 15

Legislative Requirements for Assessments 15

Benefit Analysis 16

Assessment Methodology 18

Part III - Estimate of Costs 20

Annual Inflationary Adjustment (Assessment Range Formula) 20

Annual District Budgets 21

Part IV - District Diagrams 24

Part V - Assessment Rolls 69

Introduction

The City of Hanford ("City"), under the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act") and in compliance with the substantive and procedural requirements of the California State Constitution, Article XIII D ("California Constitution"), annually levies and collects special assessments for the City's Landscaping and Lighting Assessment Districts designated and referred to as:

District No.	Subdivision Name	District No.	Subdivision Name
90-01	Pinecastle Addition Units 1 - 4	**90-02**	Park Monterey Units 1 & 2
90-03	Mansionette Units 7 & 8	**90-04**	Hyde Park
91-01	Sierra Vista & New Dimensions Units 1 - 5	**92-01**	Portofino Unit Units 1 - 4
92-02	Cielo En Tierra Units 1 - 5	**93-01**	Vintage Estates
93-02	Walnut Forest Units 1 - 3	**94-01**	Gateway Estates
94-02	Stonecrest Units 1 - 9	**94-03**	Quail Run Estates Units 1 - 5
97-01	Rosewood Estates Units 1 & 2	**97-02**	Summer Field Addition #2
97-03	Country Crossing Units 1 - 5	**98-01**	Crystal Springs Units 1 - 3
98-02	Mountain View Estates Units 1 - 6	**01-01**	Pacific Grove Units 1 - 3 and N. Pointe Units 1 - 4
01-02	Cambridge Homes Units 1 - 3	**01-03**	Poppy Hills Units 1 & 2
01-04	Silver Oaks Units 1 - 5	**02-01**	Ashton Park Units 1 - 4
03-01	Le Parc Units 1 - 3	**04-01**	Sidonia Units 1 & 2 and Sidonia Estates II
04-02	Cambridge Homes/Majesty II, #2	**04-03**	Cambridge Homes -Majesty II - #2, Cambridge Homes Units 1 - 6, Cambridge Homes- Vineyards Units 1 - 4
04-04	Sierra Heights Units 1 & 2	**05-01**	Mission Park
05-02	Copper Valley	**06-01**	Quail Park Subdivision
07-02	South Gate Addition, Greenbrier Gardens, & Live Oak North	**09-01**	Victory Estates
09-02	Independence Units 1 & 2	**14-01**	Independence Units 3 & 4
15-01	Silver Oaks Addition III Units 1 and 2, Lennar Homes Units 1 and 2, and Lennar Homes	**15-02**	The Greens II
16-01	Woodside Homes	**16-02**	Mynderup Units 1 & 2
18-01	Bella Vista Units 1 - 4	**19-01**	Pacific Grove Addition II
19-02	The Enclave	**20-01**	Woodside Homes
21-01	San Joaquin Valley Homes		

(hereafter referred to collectively as "LLMD" and individually as "Districts") that fund, in whole or in part, the maintenance and operation of local landscaping or landscaping and lighting improvements that provide special benefits to properties within those individual Districts.

Report Content and Annual Proceedings

This Consolidated Engineer's Report (the "Report") has been prepared pursuant to Chapter 1, Article 4 and Chapter 3 of the 1972 Act, and presented to the City Council for their consideration and approval of the proposed improvements and services to be provided within the Districts and the levy and collection of annual assessments related thereto for fiscal year 2024/2025. This Report generally describes the improvements and proposed assessments to be levied in connection with the special benefits the properties will receive from the maintenance and servicing of the improvements within each of the designated Districts for fiscal year 2024/2025. The annual assessments to be levied on properties within these Districts provide a source of funding to fund in whole or in part, the continued operation and maintenance of the landscaping improvements or landscaping and lighting improvements and services to be provided by the City through the LLMD that provide special benefits to the properties within each of those Districts and respective developments.

Each fiscal year, the City establishes the LLMD assessments based on an estimate of the costs to maintain, operate and service the authorized improvements within each District and based upon available revenues including assessment revenues, fund balances, general benefit contributions and any additional City contributions from available sources. The costs of the improvements and the proposed annual assessments budgeted and assessed against properties within each District may include, but are not limited to the estimated expenditures for regular annual maintenance and repairs; incidental expenditures related to the operation and administration of the District; deficits or surpluses from prior years (fund balance); revenues from other sources; and the collection of funds for operational reserves and/or periodic repairs, replacements and rehabilitation projects as authorized by the 1972 Act. The net annual cost to provide the improvements for each District are allocated to the benefiting properties within each District respectively based on an established method of apportionment (refer to Assessment Methodology in Section II, Method of Apportionment) that calculates the proportional special benefit and assessment for each parcel within those Districts. Thus, each parcel is assessed proportionately for only those improvements, services, and expenses for which the parcel receives special benefit.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessor's Parcel Number ("APN") by the Kings County Assessor's Office. The Kings County Auditor/Controller uses APNs and specific Fund Numbers to identify properties to be assessed on the tax roll for the District assessments.

At a noticed annual Public Hearing, the City Council will accept all public comments and written protests regarding the Districts and the annual levy of assessments. Based on those public comments and written protests, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the City Council will by Resolution, order the improvements to be made and confirm the levy and collection of assessments for fiscal year 2024/2025 pursuant to the 1972 Act. The assessment for each parcel as approved will be placed on the fiscal year 2024/2025 property tax roll by the Kings County Auditor/Controller and collected together and in the same manner as other property taxes for such parcels.

As required by the 1972 Act, this Engineer's Report describes the improvements to be provided, maintained, and serviced by the Districts, an estimated budget for the improvements for each District, and the proposed assessments to be levied upon each assessable lot or parcel within those Districts for fiscal year 2024/2025.

This Report consists of five (5) parts:

Part I

Plans and Specifications: This section contains a general description of the Districts, and the improvements and services that provide special benefits to the parcels within those Districts. The improvements and appurtenant facilities that provide special benefits to the properties within the Districts and for which parcels are assessed may include, but is not limited to local landscaping, neighborhood parks, basins, street lights, and related amenities as well as associated incidental expenses (City Administration expenses and County Fees), and fund balances authorized by the 1972 Act. The plans and specifications contained in this Report generally describe the nature and extent of the improvements. More detailed information regarding the specific plans and specifications associated with the improvements in each District may be on file in the Public Works Department and by reference are made part of this Report.

Part II

Method of Apportionment: This section includes a discussion of the general and special benefits associated with the improvements to be provided within the LLMD (Benefit Analysis), which includes a discussion of the proportional costs of the special benefits and a separation of costs considered to be of general benefit (and therefore not assessed). This section of the Report also outlines the basis upon which the estimated costs to provide such improvements are apportioned to each parcel of land within the Districts in proportion to the special benefits to be received (the method of calculating each property's proportional special benefit assessment). This method of apportionment is consistent with the previously approved and adopted method of apportionment for each District.

Part III

Estimate of Costs: Identifies the estimated annual funding costs (budgets) required for the maintenance and operation of the improvements in each of the Districts, including, but not limited to, annual maintenance and service expenses, utility costs, related incidental expenses, and fund balances authorized by the 1972 Act and deemed appropriate to support the improvements, even though not all costs identified in these budgets are necessarily supported fully by the current assessment revenues. Those improvements and/or costs determined to be of general benefit shall be funded by a City contribution. In addition to the general benefit costs, the City may provide additional funding to support the maintenance and operation of the improvements considered to be of special benefit. Ultimately, City staff shall make the determination of which improvements, and the extent of the services and activities that shall be provided based on available revenues.

This section also identifies and outlines an Assessment Range Formula (inflationary adjust) that has been previously approved and adopted for specified Districts (most but not all Districts), which provides for an annual adjustment to the maximum assessment rates, establishing limits on future assessments, but also providing for reasonable cost adjustments due to inflation.

Part IV

District Diagrams: This section of the Report contains diagrams showing the general location and boundaries of the Districts for fiscal year 2024/2025 which incorporate the parcels determined to receive special benefits from the improvements within each District. The lines and dimensions of each lot, parcel, and subdivision of land contained in the diagram for each District is inclusive of the parcels listed in "Part V - Assessment Roll" of this Report and the corresponding County Assessor's parcel maps for said parcels as they existed at the time this Report was prepared and shall incorporate all subsequent subdivisions, lot-line adjustments, or parcel changes therein. Reference is hereby made to the Kings County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the Districts.

Part V

Assessment Rolls: The assessment amounts to be levied and collected in fiscal year 2024/2025 for each parcel is provided in the Assessment Roll, and these assessments are based on the parcel's calculated proportional special benefit as outlined in Part II - Method of Apportionment and the annual assessment rates established by the estimated budgets (refer to Part III - Estimate of Costs).

If any section, subsection, sentence, clause, phrase, portion, zone, or subzone of this Engineer's Report is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Engineer's Report and each section, subsection, subdivision, sentence, clause, phrase, portion, zone, or subzone thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, portions, zones, or subzones might subsequently be declared invalid or unconstitutional.

Part I - Plans and Specifications

The purpose of the Districts (collectively the LLMD) is to provide in part through annual assessments, funding for the ongoing installation, maintenance, operation, and servicing of local landscaping, neighborhood parks, and related appurtenant facilities and services in specified areas of the City as well as local street lighting within some Districts. The territory within each District consists of all lots or parcels of land that receive special benefits from the installation, maintenance, operation and servicing of the local public improvements and related amenities associated with the developments and Tracts within each of those Districts.

Description of Improvements

As authorized by the 1972 Act, the improvements provided by the Districts and associated with each development incorporate various local improvements and/or street lighting and related amenities installed in connection with the development of those properties and are maintained and serviced for the benefit of real property within those developments. Improvements provided within the Districts may include but are not limited to:

- Landscaping and related facilities and amenities located within designated street medians, parkway and streetscape side-panels, and entryways within the public rights-of-way or easements adjacent to public rights-of-way; and within public places including greenbelt areas, open spaces, and neighborhood parks within each respective District. These improvements may include, but are not limited to:
  - Various landscape materials such as trees, turf, shrubs, vines, ground cover, annual or perineal plantings;
  - Irrigation and drainage systems including but not limited to pipes, fixtures, controllers, and water and electrical meters;
  - Specified amenities such as monuments, ornamental lighting, block walls, retaining walls, or other fencing;
  - Hardscape surfaces and areas including decomposed granite, mulch, asphalt, stamped concrete, pavers, and other trail and/or path surfaces; and
  - Recreational amenities within the parks, parks/basins, trails, or greenbelts that may include benches, play structures, picnic or other recreational facilities, signage, and related appurtenances.

  The maintenance of these improvements may include, but is not limited to the scheduled mowing, trimming, pruning, fertilization, pest control, weed and graffiti abatement; installation, replacement, and rehabilitation of the landscaping; repair or replacement of irrigation or drainage systems; and repair or replacement of hardscape improvements and recreational amenities.
- Street lighting improvements located in the public rights-of-way within and on the perimeter of the developments associated with specific Districts and the parcels and developments therein. Street lighting improvements include energy costs and maintenance of the lighting facilities including, but not limited to the removal, repair, replacement or relocation of light standards, poles, bulbs, fixtures, and related equipment and materials.

The work to be performed within each respective District may include but is not limited to (as applicable), the personnel, materials, equipment, electricity, water, contract services, repair and rehabilitation of the improvements, and incidental expenses. The City Public Works Department shall authorize and schedule such maintenance and servicing as needed and based on available funding.

Specific District Improvements and Services

As previously noted, there are forty-three (43) designated Districts within the City for which assessments are proposed to be levied and collected to maintain, operate and service the improvements within those Districts for fiscal year 2024/2025. The boundaries of each District are established on the basis of the location, extent and types of improvements being maintained and the proximity and direct benefit those specific improvements provide to the immediately surrounding developments, planned developments, and parcels. In addition, the nexus and observation that the developments and/or planned development of the properties within each District clearly required or otherwise facilitated the installation of the improvements to be maintained and that such improvements (both landscaping and lighting) would otherwise not be necessary if not for the development of those properties. Therefore, the benefits to the immediately surrounding properties and developments for which the improvements were constructed and installed and/or were facilitated by the development or potential development of properties within each respective District are clearly particular and distinct (special benefits).

Landscape Service Levels

As part of the ongoing maintenance and servicing of the landscape improvements associated with each District, the City has established various maintenance frequency referred to as Service Levels. These Service Levels provide general guidelines for how often the landscape improvement areas are serviced based on overall maintenance needs and/or available assessment funding. For most Districts, the various landscape improvements or improvement areas within a District are maintained at the same level of service, but in some Districts two or more Service Levels may be applicable based on the nature and/or location of the improvements. At present, the City has established five (5) Service Levels summarized as follows:

- **Service Level A –** Landscape improvements are serviced every week;
- **Service Level B –** Landscape improvements are serviced every week (March through October) and every two weeks (November through February);
- **Service Level C –** Landscape improvements are serviced every two weeks;
- **Service Level D –** Landscape improvements are serviced every two weeks (March through October) and every four weeks (November through February); and
- **Service Level E –** Landscape improvements are serviced once every month.

For Fiscal Year 2024/2025 it is anticipated that each of the improvement areas being maintained within the LLMP will be maintained at either Service Levels A, B, C or D.

District Improvements

The following is a brief summary and description of the improvements to be maintained within each District for fiscal year 2024/2025.

District 90-01: Pinecastle Addition Units 1 through 4

The parcels assessed in this District (totaling 352 lots) include, but are not limited to Tracts 606, 606-2, 606-3, and 606-4. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 67,750 square feet of designated landscape improvement area. These improvements are maintained at Service Level A, including the 11,532 square feet associated with the park/basin area.

District 90-02: Park Monterey Units 1 and 2

The parcels assessed in this District (totaling 53 lots) include but are not limited to Tracts 610 and 657. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 8,625 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 90-03: Mansionette Units 7 and 8

The parcels assessed in this District (totaling 84 lots) include but are not limited to Tracts 596 and 596-2. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 16,425 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 90-04: Hyde Park

The parcels assessed in this District (totaling 14 lots) include but are not limited to Tract 619. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 1,425 square feet of designated landscape improvement area. These improvements are maintained at Service Level B.

District 91-01: Sierra Vista and New Dimensions Units 1 through 5

The parcels assessed in this District (totaling 285 lots) include, but are not limited to Tracts 641, 703, 703-2, 713-3, 713-4, and 713-5. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 12,974 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 92-01: Portofino Unit Units 1 through 4

The parcels assessed in this District (totaling 78 lots) include, but are not limited to Tracts 607, 607-2, 607-3, and 607-4. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 19,167 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 92-02: Cielo en Tierra Units 1 through 5

The parcels assessed in this District (totaling 98 lots) include, but are not limited to Tracts 652, 652-2, 652-3, 652-4, and 652-5. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 11,735 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 93-01: Vintage Estates

The parcels assessed in this District (totaling 29 lots) include but are not limited to Tract 634. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 10,346 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the six (6) street lights identified within the District boundaries.

District 93-02: Walnut Forest Units 1 through 3

The parcels assessed in this District (totaling 169 lots) include, but are not limited to Tracts 673, 673-2, and 673-3. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 15,637 square feet of designated landscape improvement area. These improvements are maintained at Service Level A, including the 3,537 square feet associated with slough frontage.

District 94-01: Gateway Estates

The parcels assessed in this District (totaling 114 lots) include but are not limited to Tract 712. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 8,185 square feet of designated landscape improvement area. These improvements are maintained at Service Level D, including the 5,460 square feet associated with the basin area.

District 94-02: Stonecrest Units 1 through 9

The parcels assessed in this District (totaling 654 lots) include, but are not limited to Tracts 708, 708-2, 727-3, 727-4, 727-5, 727-6, 727-7, 727-8, and 727-9. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 173,903 square feet of designated landscape improvement area. These improvements are maintained at Service Level D for the 51,578 square feet of railroad frontage, Service Level B for 14,765 square feet of the total maintained landscape area, and Service Level A for the remaining 107,560 square feet of landscaping including the 54,450 square feet of basin area.

District 94-03: Quail Run Estates Units 1 through 5

The parcels assessed in this District (totaling 272 lots) include, but are not limited to Tracts 696, 696-2, 696-3, 696-4, and 696-5. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 111,188 square feet of designated landscape improvement area. These improvements are maintained at Service Level B.

District 97-01: Rosewood Estates Units 1 and 2

The parcels assessed in this District (totaling 44 lots) include but are not limited to Tracts 711 and 711-2. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 6,300 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 97-02: Summer Field Addition #2

The parcels assessed in this District (totaling 30 lots) include but are not limited to Tract 742. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 4,650 square feet of designated landscape improvement area. These improvements are maintained at Service Level D.

District 97-03: Country Crossing Units 1 through 5

The parcels assessed in this District (totaling 251 lots) include, but are not limited to Tracts 743, 743-2, 743-3, 772-4, and 772-5. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 46,415 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 98-01: Crystal Springs Units 1 through 3

The parcels assessed in this District (totaling 126 lots) include, but are not limited to Tracts 747, 747-2, and 747-3. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 14,435 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 98-02: Mountain View Estates Units 1 through 6

The parcels assessed in this District (totaling 162 lots) include, but are not limited to Tracts 759, 759-2, 759-3, 759-4, 759-5, and 759-6. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 30,991 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 01-01: Pacific Grove Units 1 through 3 and N. Pointe Units 1 through 4

The parcels assessed in this District (totaling 148 lots) include, but are not limited to Tracts 680, 777-2, 778-3, and 778-4. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 12,152 square feet of designated landscape improvement area. These improvements are maintained at Service Level A including the 3,530 square feet associated with the basin area.

District 01-02: Cambridge Homes Units 1 through 3

The parcels assessed in this District (totaling 198 lots) include, but are not limited to Tracts 770, 770-2, and 770-3. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 35,222 square feet of designated landscape improvement area. These improvements are maintained at Service Level D for the 22,790 square feet of railroad frontage and Service Level A for the remaining 12,432 square feet of landscaping.

District 01-03: Poppy Hills Units 1 and 2

The parcels assessed in this District (totaling 86 lots) include but are not limited to Tracts 771 and 796-2. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 11,782 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 01-04: Silver Oaks Units 1 through 5

The parcels assessed in this District (totaling 489 lots) include, but are not limited to Tracts 769, 769-2, 769-3, 769-4, and 769-5. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 95,556 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 02-01: Ashton Park Units 1 through 4

The parcels assessed in this District (totaling 182 lots) include, but are not limited to Tracts 776, 776-2, 776-3, and 776-4. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 63,922 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 03-01: Le Parc Units 1 through 3

The parcels assessed in this District (totaling 128 lots) include, but are not limited to Tracts 788, 788-2, and 788-3. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 30,628 square feet of designated landscape improvement area. These improvements are maintained at Service Level A including the 21,858 square feet associated with the railroad frontage.

District 04-01: Sidonia Units 1 and 2 and Sidonia Estates II

The parcels assessed in this District (totaling 233 lots) include but are not limited to Tracts 810 and 810-2. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 21,533 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 04-02: Cambridge Homes/Majesty II, #2

The parcels assessed in this District (totaling 75 lots) include but are not limited to Tracts 799 and 830. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 63,824 square feet of designated landscape improvement area. These improvements are maintained at Service Level A including the 8,440 square feet associated with the basin area. The assessments for this District also fund in whole or in part, the eleven (11) street lights identified within the District boundaries.

District 04-03: Cambridge Homes - Majesty II - #2, Cambridge Homes Units 1 through 6, Cambridge Homes - Vineyards Units 1 through 4

The parcels assessed in this District (totaling 424 lots) include, but are not limited to Tracts 795, 795-2, 799, 825-3, 826-4, 826-5, and 830. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 167,767 square feet of designated landscape improvement area. These improvements are maintained at Service Level A including the 19,929 square feet associated with the railroad frontage and the 77,548 square feet associated with the park area. The assessments for this District also fund in whole or in part, the sixty-three (63) street lights identified within the District boundaries.

District 04-04: Sierra Heights Units 1 and 2

The parcels assessed in this District (totaling 16 lots) include but are not limited to Tracts 802 and 803. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 15,237 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 05-01: Mission Park

The parcels assessed in this District (totaling 40 lots) include but are not limited to Tract 812. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 4,930 square feet of designated landscape improvement area. These improvements are maintained at Service Level A including the 2,537 square feet associated with the basin area.

District 05-02: Copper Valley

The parcels assessed in this District (totaling 150 lots) include but are not limited to Tract 835. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 44,126 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 06-01: Quail Park Subdivision

The parcels assessed in this District (totaling 144 lots) include but are not limited to Tract 794. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 148,501 square feet of designated landscape improvement area. These improvements are maintained at Service Level B for the park area (95,551 square feet) and Service Level D for the 52,950 square feet of railroad frontage. The assessments for this District also fund, in whole or in part, the twenty-four (24) street lights identified within the District boundaries.

District 07-02: South Gate Addition, Greenbrier Gardens, and Live Oak North

The parcels assessed in this District (totaling 129 lots) include, but are not limited to Tracts 811, 876, and 902. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 29,440 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund in whole or in part, the thirteen (13) street lights identified within the District boundaries.

District 09-01: Victory Estates

The parcels assessed in this District (totaling 14 lots) include but are not limited to Tract 877. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 7,077 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the two (2) street lights identified within the District boundaries.

District 09-02: Independence Units 1 and 2

The parcels assessed in this District (totaling 121 lots) include but are not limited to Tract 843. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 56,252 square feet of designated landscape improvement area. These improvements are maintained at Service Level B including the 20,558 square feet of park area. The assessments for this District also fund, in whole or in part, the eighteen (18) street lights identified within the District boundaries.

District 14-01: Independence Units 3 and 4

The parcels assessed in this District (totaling 175 lots) include but are not limited to Tract 843. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 76,555 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the twenty-nine (29) street lights identified within the District boundaries.

District 15-01: Silver Oaks Addition III Units 1 and 2, Lennar Homes Units 1 and 2, and Lennar Homes

The parcels assessed in this District (totaling 468 lots) include, but are not limited to Tracts 887, 887-2, 922, and 927. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 412,396 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund in whole or in part, the ninety-four (94) street lights identified within the District boundaries.

District 15-02: The Greens II

The parcels assessed in this District (totaling 34 lots) include but are not limited to Tract 823. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 16,416 square feet of designated landscape improvement area. These improvements are maintained at Service Level B. The assessments for this District also fund, in whole or in part, the eight (8) street lights identified within the District boundaries.

District 16-01: Woodside Homes

The parcels assessed in this District (totaling 60 lots) include but are not limited to Tract 917. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 25,206 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the nineteen (19) street lights identified within the District boundaries.

District 16-02: Mynderup Units 1 and 2

The parcels assessed in this District (totaling 113 lots) include but are not limited to Tracts 914 and 914-2. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 31,363 square feet of designated landscape improvement area. These improvements are maintained at Service Level C. The assessments for this District also fund in whole or in part, the sixteen (16) street lights identified within the District boundaries.

District 18-01: Bella Vista Units 1 through 4

The parcels assessed in this District (totaling 267 lots) include but are not limited to Tracts 918 and 919. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 185,001 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund in whole or in part, the fifty-four (54) street lights identified within the District boundaries.

District 19-01: Pacific Grove Addition II

The parcels assessed in this District (totaling 22 lots) include but are not limited to Tract 916. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 13,128 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the eight (8) street lights identified within the District boundaries.

District 19-02: The Enclave

The parcels assessed in this District (totaling 66 lots) include but are not limited to Tract 915. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 16,466 square feet of designated landscape improvement area. These improvements are maintained at Service Level A.

District 20-01: Woodside Homes

The parcels assessed in this District (totaling 81 lots) include but are not limited to Tract 928. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 143,413 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the twenty-four (24) street lights identified within the District boundaries.

District 21-01: San Joaquin Valley Homes

The parcels assessed in this District (totaling 52 lots) include but are not limited to Tract 929. The properties within this District proportionately share and receive special benefit from the maintenance, servicing, and operation of an estimated 134,540 square feet of designated landscape improvement area. These improvements are maintained at Service Level A. The assessments for this District also fund, in whole or in part, the twenty-three (23) street lights identified within the District boundaries.

Part II - Method of Apportionment

Legislative Requirements for Assessments

The estimated costs to provide the proposed improvements for fiscal year 2024/2025 have been identified and allocated to properties within the Districts based on special benefit, consistent with the requirements of the 1972 Act and the assessment provisions of Proposition 218 (being contained in Article XIII D of the California Constitution). The improvements provided by these Districts and for which properties are assessed include local parks, basins, landscaping, and lighting improvements, as well as related amenities. The formulas used for calculating assessments within the designated Districts herein reflect the composition of parcels and the improvements and services to be provided and fairly apportion the cost of providing those improvements based on a determination of the proportional special benefits to each parcel.

Provisions of the 1972 Act

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, including the acquisition, construction, installation and servicing of landscape improvements and related facilities. The 1972 Act requires that the cost of these improvements be levied according to benefit rather than assessed value.

Section 22573 defines the net amount to be assessed as follows:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Provisions of the California Constitution

In addition to the provisions of the 1972 Act, the Article XIII D of the California Constitution outlines specific requirements regarding assessments including the following:

Article XIII D Section 2d defines District as follows:

"District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service;"

Article XIII D Section 2i defines Special Benefit as follows:

"Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."

Article XIII D Section 4a defines proportional special benefit assessments as follows:

"An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Benefit Analysis

Special Benefits

Landscaping Special Benefit

The ongoing maintenance of landscaped areas within the various Districts addressed in this Report provides aesthetic benefits to the properties and a more pleasant environment to walk, drive, live, and/or work. The primary function of these landscape improvements and related amenities is to serve as an aesthetically pleasing enhancement and green space for the benefit of the immediately surrounding properties and developments for which the improvements were constructed and installed and/or were facilitated by the development or potential development of properties within each respective District. These landscape improvements are an integral part of the physical environment associated with the parcels in each District and while some of the improvements may in part be visible to properties outside the District, collectively if the District improvements are not properly maintained, it is the parcels within the District that would be aesthetically burdened. Additionally, many of the landscaped areas being maintained in these Districts serve as both a physical buffer as well as a sound reduction buffer between the roadways and/or railroad and the properties within the District, and also serve as a pleasant aesthetic amenity that enhances the approach to the parcels. In some Districts, the landscaped areas may include green space areas (neighborhood parks, park/basins, greenbelts, open space and/or trails) that may provide a physical buffer between properties, overall open space within a development, and/or recreational areas that serve as an extension of the physical attributes of the parcels being assessed. Thus, the maintenance of these landscape improvements and the related amenities provide particular and distinct benefits to the properties and developments associated with those improvements within each District.

Street Lighting Special Benefit

The street lighting (localized street lighting) is primarily useful for illuminating the sidewalks and parking lanes on the streets used specifically to access the properties and/or is adjacent to those properties that comprise each particular District. This lighting is distinct from lights that may be installed that serve in large part to enhance traffic safety, such as traffic signals and intersection safety lights or the more sporadic lighting found on major thoroughfares outside the more concentrated development areas. These localized street lights tend to be more closely spaced and of a lower intensity than street lights installed primarily for traffic safety. These low-level, lower-intensity street lights within a designated District provide three main special benefits: (i) property security benefit, (ii) pedestrian safety benefit, and (iii) parkway/roadway egress benefit. Because traffic to and from these parcels is largely limited to the residents and residents' guests, it is reasonable to assume that essentially all pedestrians and parking vehicles in the lit areas will, after dark, be directly associated with the properties in that District and that the vehicular traffic on those streets is primarily for accessing the properties within that area. Therefore, street lighting on such streets is entirely a special benefit to those properties.

In addition, the street lights for which properties within the Districts may be assessed, are consistent with the City's typical intensity and spacing standards for areas zoned for residential development and each parcel to be assessed is served directly by the system of street lights providing appropriate lighting within these respective development areas. Furthermore, the cost of maintaining and operating each light is substantially the same, regardless of its location within the District. Consequently, we conclude that each parcel to be assessed for street lighting receives substantially similar benefit from the street light improvements and the only notable distinctions in proportional special benefit to each parcel is related to the specific quantity of lights associated with each District.

General Benefit

Landscaping General Benefit

In reviewing the location and extent of the specific landscaped areas and improvements to be funded by each District's assessments and the proximity and relationship to properties to be assessed in each District, it is evident these improvements were primarily installed in connection with the development of properties therein or are improvements that would otherwise be shared by and required for development of properties in each respective District. It is also evident that the maintenance of these improvements and the level of maintenance provided has a direct and particular impact (special benefit) only on those properties in proximity to those improvements. Furthermore, such maintenance beyond that which is required to ensure the safety and protection of the general public and property in general, has no quantifiable benefit to the public at large or properties outside each respective District.

In the absence of a special funding district, the City would typically provide only limited (as needed) tree management, weed abatement, rodent control, and erosion control services for the landscape areas currently maintained within each District. This baseline level of service would typically provide for periodic servicing of the improvement areas on an as-needed basis, but typically not more than twice annually. This baseline level of service provides for public safety and essential property protection to avoid negative impacts on adjacent roadways and vehicles traveling on those roadways and potential property damage resulting from erosion or fire hazards but results in a far less visually pleasing environment than is created with the enhanced levels of services associated with the regular landscape maintenance provided in the various Districts. For most agencies, the cost to provide this baseline level of service for mostly flat or moderately-sloped street landscaped areas (landscaping within the street right-of way) is less than $560 per acre (approximately $0.01285 per square foot) including medians, parkway and streetscape side panels; less than $448 per acre (approximately $0.01028 per square foot) for non-street public areas such as parks, park/basins, greenbelts, and trail areas; and less than $224 per acre (approximately $0.00514 per square foot) for natural open space areas or other limited access areas such as enclosed basin areas. This baseline servicing, unlike the enhanced aesthetic services funded through the District assessments, would provide benefits to the general public and to the properties both within and outside of the specific Districts. The cost of providing this baseline service along with a five percent (5%) cost factor for City overhead and administration is treated as the cost of general benefit from landscape maintenance services. Therefore, for mostly flat or moderately-sloped street landscaped areas a rate of $0.01349 per square foot ($0.01285 + 5%) is applied to calculate the general benefit costs for the assessed improvements; for non-street public areas a rate of $0.01079 per square foot ($0.01028 + 5%) is applied to calculate the general benefit costs for the assessed improvements; and for non-street public areas a rate of $0.00540 per square foot ($0.00514 + 5%) is applied to calculate the general benefit costs for the assessed improvements. Collectively these baseline general benefit costs are funded by the City and excluded from the potential assessment funding and are shown in the District budgets (Part III of this Report) as "General Benefit."

Street Lighting General Benefit

For fiscal year 2024/2025, not all Districts are assessed for street light improvements. While potentially, some street lights associated with a given District, may be located at the entryway or on the perimeter of the development(s) within the District and may arguably provide some illumination that extends beyond the boundaries of the developments and parcels being assessed, and may indirectly enhance the safety of members of the public unassociated with the assessed parcels (illuminating traffic lanes and/or parking on those perimeter streets), such benefits are considered an indirect consequence of the special benefits to properties within the Districts. Furthermore, if the properties within the Districts were not developed, any street lights that may be located at the entryways or on the perimeter of the developments would not have been installed. Clearly these street lights exist solely because of the development of assessed parcels, and the primary purpose of these lights is to provide illumination to access the assessed parcels, Therefore we conclude that the cost of providing the street lights within the existing Districts are entirely a special benefit to the properties being assessed in each District and there is no quantifiable general benefit to properties outside the Districts or the public at large.

Assessment Methodology

To assess benefits equitably it is necessary to calculate each property's proportionate special benefits conferred by the funded improvements and service. The Equivalent Benefit Unit (EBU) method of assessment apportionment is commonly utilized for assessment districts formed under the 1972 Act, as the benefit to each parcel from the improvements may be apportioned as a function of comparable property characteristics which utilizes a basic unit (base value) of benefit and then calculates the benefit derived by each assessed parcel either at that base unit or as a multiple (or a fraction) of that basic unit. In accordance with the provisions of the California Constitution and the 1972 Act, the proportionate special benefit derived by each identified parcel within the various Districts shall be determined in relationship to the entirety of the cost to maintain, operate and service the improvements within each District. Consistent with the method of apportionment established at the formation of each District, it has been determined that the developments and/or planned development of the properties within each District required or facilitated the installation of the improvements to be funded in whole or in part by the District assessments, and that such improvements (both landscaping and lighting) would otherwise not be necessary and those improvements benefit each lot/parcel equally. Therefore, collectively the particular and distinct benefits to each lot/parcel within each respective District are equally shared and one hundred percent (100%) of the fiscal year 2024/2025 special benefit expenses is proportionately and equally allocated and shared by each development lot and each of these parcels/lots are assigned one (1.0) EBU, excluding parcels or lots that may be part of the improvement areas being maintained.

Calculation of Assessments

An assessment amount per Lot or Equivalent Benefit Unit (EBU) in each District is calculated in the following manner.

Taking the "Total Annual Expenses" (Total Budgeted Costs) and subtracting the "General Benefit" (Expenses Funded by the City), to establish the "Special Benefit Expenses;"

Total Annual Expenses - General Benefit = Special Benefit Expenses

To the resulting "Special Benefit Expenses," various "Funding Adjustments" may be applied that may include, but are not limited to:

- "Reserve Fund Collection or (Transfer)," represents an amount being collected and added to the Reserve Fund or available existing Reserve Funds being applied ("Transferred") to pay a portion of the Special Benefit Expenses for the fiscal year.
- "City Loan and/or Service Reductions," represents a further adjustment that addresses the funding gap between the amount budgeted to provide the improvements and services ("Special Benefit Expenses"); and the amount that will be collected through the assessments. This funding gap may be addressed by an additional City contribution, reductions in service and service expenses, or a combination of the two. If the City provides an additional City Contribution to support the operation and maintenance for a given fiscal year, that contribution is carried forward as a deficit applied to the Beginning Fund Balance in the next fiscal year.

These adjustments to the Special Benefit Expenses result in the net special benefit amount to be assessed "Balance to Levy;"

Special Benefit Expenses +/- Funding Adjustments = Balance to Levy

The amount identified as the "Balance to Levy" is divided by the total number of Lots or EBUs for the parcels that receive special benefit to establish the "Assessment Rate" for the fiscal year. This Rate is then applied back to each parcel's individual EBU to calculate the parcel's proportionate special benefit and assessment for the improvements.

Balance to Levy / Total Lots/EBUs = Assessment Rate (for the fiscal year)

Assessment Rate x Parcel's EBU = Parcel Assessment Amount

Part III - Estimate of Costs

Annual Inflationary Adjustment (Assessment Range Formula)

Pursuant to Article XIII D of the California Constitution (Proposition 218), any "new or increased assessments" require certain noticing and balloting requirements. However, Government Code Section 54954.6(a) provides that a "new or increased assessment" does not include "*an assessment which does not exceed an assessment formula or range of assessments...previously adopted by the agency or approved by the voters in the area where the assessment is imposed*." This definition of a new or increased assessment is reaffirmed in the Proposition 218 Omnibus Implementation Act, Government Code Section 53753.5.

Currently, the maximum assessment rates identified in this Report for Districts 90-01, 90-02, 90-03, 90-04, 91-01, 92-01, 92-02, 93-01, 94-01, 94-02, 94-03, 97-01, 97-02, 97-03, 98-01, and 98-02 are fixed maximum assessment rates that do not include any inflationary adjustment.

However, either at the time of formation or in a subsequent proceeding the maximum assessments for Districts 93-02, 01-01, 01-02, 01-03, 01-04, 02-01, 03-01, 04-01, 04-02, 04-03, 04-04, 05-01, 05-02, 06-01, 07-02, 09-01, 09-02, 14-01, 15-01, 15-02, 16-01, 16-02, 18-01, 19-01, 19-02, 20-01, and 21-01 were balloted for a new or increased assessments that include an inflationary adjustment (assessment range formula).

As previously adopted and approved by the City Council for the Districts with an inflationary adjustment, each fiscal year the maximum assessment rate established for the improvements in the previous fiscal year for each District may be adjusted by the percentage increase in the Local Consumer Price Index (CPI). The Consumer Price Index used for the inflationary adjustment shall be for Urban Wage Earners and Clerical Workers, San Francisco-Oakland-San Jose Area, as developed by U.S. Bureau of Labor Statistics. The CPI used shall be as determined by the Bureau of Labor Statistics for a similar period of time.

January 1, of each calendar year ("Adjustment Date"), the City shall identify the percentage change in the CPI, using the difference over a 12-month period between the current year and of the previous year as of the Adjustment Date (typically December to December). This percentage difference shall then establish the range of increase to the maximum assessment rates allowed. If the percentage change in the CPI is negative, the maximum assessment rates shall not be adjusted from the previous fiscal year (unchanged). Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Bureau of Labor Statistics will be the sole judge of the comparability of successive indexes, but if the Bureau of Labor Statistics fail to supply indexes it deems comparable or if no succeeding index is published, the City shall determine an appropriate published price index as approved by the City Council for determining fluctuations in the cost of living.

The annual change in CPI from December 2022 to December 2023 as reported by the U.S. Bureau of Labor Statistics was 2.8 percent. Therefore, the maximum assessment rates for fiscal year 2023/2024 will be increased by 2.8 percent for fiscal year 2024/2025 in those Districts with a previously approved inflationary adjustment including, Districts 93-02, 01-01, 01-02, 01-03, 01-04, 02-01, 03-01, 04-01, 04-02, 04-03, 04-04, 05-01, 05-02, 06-01, 07-02, 09-01, 09-02, 14-01, 15-01,15-02,16-01,16-02, 18-01, 19-01, 19-02, 20-01, and 21-01.

This assessment range formula or inflationary adjustment provides for the District maximum assessment rate applicable for the prior fiscal year to be increased each subsequent fiscal year which is consistent with the California Constitution and the above-referenced Government Code sections.

The adoption of the maximum assessment rates and the Assessment Range Formula does not mean that the annual assessments will necessarily increase each fiscal year, nor does it absolutely restrict the assessments to the annually adjusted maximum assessment rate. Although the maximum assessment rate that may be levied shall be increased by this assessment range formula for each applicable District each fiscal year, the actual amount to be assessed will be based on the Balance to Levy for that fiscal year. If the calculated assessment rate is less than the adjusted maximum assessment rate, then the calculated assessment rate may be approved by the City Council for collection. If the calculated assessment rate (based on the proposed budget) is greater than the adjusted maximum assessment rate for that fiscal year, then the assessment would be considered an increased assessment and would require property owner approval through a protest ballot proceeding before imposing such an increase. Otherwise, it would be necessary to reduce the budget or provide funding from other sources to the City to reduce the Balance to Levy to an amount that can be supported by an assessment rate less than or equal to the adjusted maximum assessment rate authorized for that fiscal year.

Annual District Budgets

The following budget pages outline the estimated costs to maintain and service the various landscaping and lighting improvements described in this Report for fiscal year 2024/2025.

The budgeted expenses outlined in the following pages for each District reflect the estimated annual expenses required to support and maintain the improvements to be provided for fiscal year 2024/2025. The Total Annual Expenses minus the general benefit expenses (expenses not assessed and identified as the City's financial obligation to support the improvements) plus any Reserve Fund Collection result in the amount of funding the property owners should reasonably be assessed to fully fund their proportional special benefit from those improvements. Negative Funding Adjustments (Reserve Fund Transfers or City Loan and/or Service Reductions) represent additional funding that is required from either the existing Reserve Funds or from the City to fully support the maintenance and servicing of the improvements.

Budgets for Fund Numbers 0240 through 0261 (Districts 90-01 through 02-01)

Fund No.	District No.	Direct Maintenance Expenses	Incidental Expenses (Admin.)	Total Annual Expenses	General Benefit	Special Benefit Expenses	Reserve Fund Collection or (Transfer)	City Loan and/or Service Reductions	Balance to Levy	EBUs	FY 2024/2025 Assessment Rate	Maximum Assessment Rate	Beginning Fund Balance	Fund Balance Additions or Deficits	Estimated Ending Fund Balance
0240	90-01	$ 33,984	$ 4,794	$ 38,778	$ (883)	$ 37,895	$ 11,208	$ -	$ 49,103	352	$139.50	$139.50	$ 56,917	$ 11,208	$ 68,125
0241	90-02	$ 2,819	$ 591	$ 3,409	$ (116)	$ 3,293	$ 1,053	$ -	$ 4,346	53	$82.00	$82.00	$ 4,875	$ 1,053	$ 5,928
0242	90-03	$ 3,676	$ 940	$ 4,616	$ (222)	$ 4,394	$ -	$ (270)	$ 4,125	84	$49.10	$49.10	$ (3,137)	$ (270)	$ (3,407)
0243	90-04	$ 1,045	$ 158	$ 1,203	$ (19)	$ 1,184	$ -	$ (312)	$ 872	14	$62.30	$62.30	$ (1,880)	$ (312)	$ (2,191)
0244	91-01	$ 4,173	$ 2,171	$ 6,344	$ (142)	$ 6,202	$ -	$ (986)	$ 5,216	285	$18.30	$18.30	$ (2,126)	$ (986)	$ (3,112)
0245	92-01	$ 4,321	$ 973	$ 5,294	$ (259)	$ 5,036	$ -	$ (1,073)	$ 3,962	78	$50.80	$50.80	$ (7,879)	$ (1,073)	$ (8,952)
0246	92-02	$ 2,030	$ 881	$ 2,911	$ (158)	$ 2,753	$ 60	$ -	$ 2,813	98	$28.70	$28.70	$ 111	$ 60	$ 171
0247	93-01	$ 3,309	$ 489	$ 3,797	$ (140)	$ 3,658	$ 802	$ -	$ 4,460	29	$153.80	$153.80	$ 5,154	$ 802	$ 5,956
0248	93-02	$ 5,053	$ 1,525	$ 6,579	$ (201)	$ 6,377	$ 1,803	$ -	$ 8,180	169	$48.40	$48.42	$ (4,043)	$ 1,803	$ (2,240)
0249	94-01	$ 4,142	$ 1,028	$ 5,171	$ (66)	$ 5,104	$ -	$ (2,130)	$ 2,975	114	$26.10	$26.10	$ (12,556)	$ (2,130)	$ (14,685)
0250	94-02	$ 38,837	$ 7,766	$ 46,603	$ (1,488)	$ 45,114	$ 871	$ -	$ 45,985	541	$85.00	$85.00	$ (7,885)	$ 871	$ (7,014)
0251	94-03	$ 20,335	$ 4,292	$ 24,627	$ (1,255)	$ 23,371	$ -	$ (7,322)	$ 16,049	272	$59.00	$59.00	$ (32,890)	$ (7,322)	$ (40,212)
0252	97-01	$ 1,290	$ 429	$ 1,718	$ (85)	$ 1,633	$ 624	$ -	$ 2,257	44	$51.30	$51.30	$ (530)	$ 624	$ 94
0253	97-02	$ 1,322	$ 318	$ 1,640	$ (63)	$ 1,577	$ -	$ (296)	$ 1,281	30	$42.70	$42.70	$ (3,374)	$ (296)	$ (3,670)
0254	97-03	$ 12,226	$ 2,821	$ 15,048	$ (626)	$ 14,422	$ 1,253	$ -	$ 15,674	250	$62.70	$62.70	$ (9,409)	$ 1,253	$ (8,156)
0255	98-01	$ 5,454	$ 1,257	$ 6,711	$ (195)	$ 6,516	$ -	$ (1,729)	$ 4,787	126	$38.00	$38.00	$ (6,943)	$ (1,729)	$ (8,672)
0256	98-02	$ 8,392	$ 1,864	$ 10,255	$ (418)	$ 9,837	$ 4,581	$ -	$ 14,418	162	$89.00	$89.00	$ 19,626	$ 4,581	$ 24,207
0257	01-01	$ 4,221	$ 1,303	$ 5,524	$ (135)	$ 5,389	$ (469)	$ -	$ 4,920	148	$33.24	$49.30	$ 14,839	$ (469)	$ 14,369
0258	01-02	$ 6,023	$ 2,046	$ 8,069	$ (291)	$ 7,779	$ 1,928	$ -	$ 9,707	199	$48.78	$48.79	$ 2,728	$ 1,928	$ 4,657
0259	01-03	$ 3,237	$ 864	$ 4,100	$ (159)	$ 3,941	$ (176)	$ -	$ 3,765	86	$43.78	$69.08	$ 16,561	$ (176)	$ 16,385
0260	01-04	$ 27,160	$ 5,741	$ 32,901	$ (1,289)	$ 31,612	$ 6,049	$ -	$ 37,660	489	$77.02	$77.03	$ 12,449	$ 6,049	$ 18,498
0261	02-01	$ 16,753	$ 2,865	$ 19,618	$ (862)	$ 18,756	$ 4,614	$ -	$ 23,369	182	$128.40	$128.41	$ 6,255	$ 4,614	$ 10,869

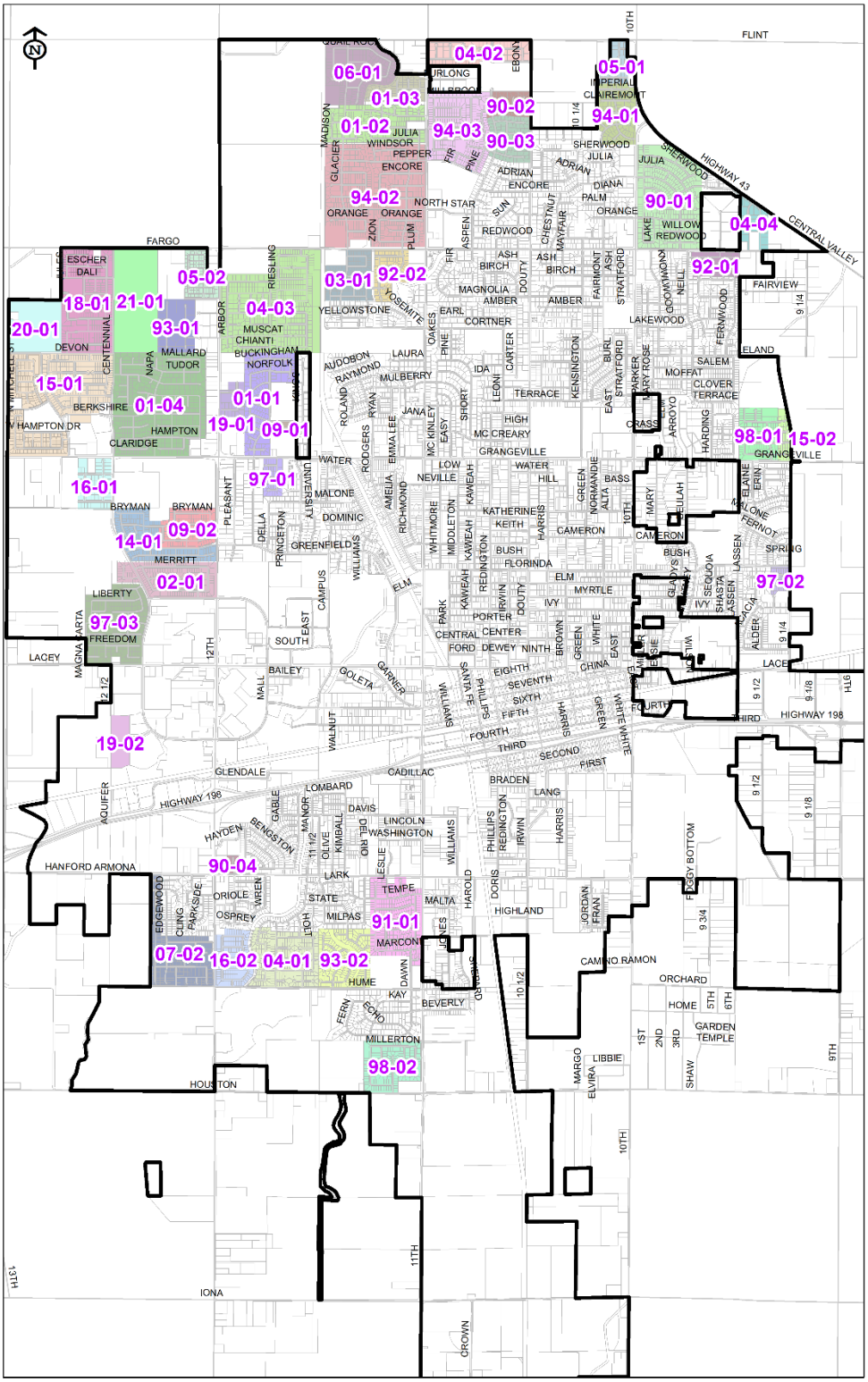
Budgets for Fund Numbers 0262 through 0282 (Districts 03-01 through 21-01)

Fund No.	District No.	Direct Maintenance Expenses	Incidental Expenses (Admin.)	Total Annual Expenses	General Benefit	Special Benefit Expenses	Reserve Fund Collection or (Transfer)	City Loan and/or Service Reductions	Balance to Levy	EBUs	FY 2024/2025 Assessment Rate	Maximum Assessment Rate	Beginning Fund Balance	Fund Balance Additions or Deficits	Estimated Ending Fund Balance
0262	03-01	$ 7,301	$ 1,594	$ 8,896	$ (236)	$ 8,659	$ (27)	$ -	$ 8,632	128	$67.44	$83.48	$ 29,117	$ (27)	$ 29,090
0263	04-01	$ 7,183	$ 2,112	$ 9,296	$ (290)	$ 9,005	$ (781)	$ -	$ 8,225	233	$35.30	$47.63	$ 48,996	$ (781)	$ 48,216
0264	04-02	$ 17,980	$ 2,251	$ 20,231	$ (793)	$ 19,438	$ 236	$ -	$ 19,674	75	$262.32	$269.67	$ 34,105	$ 236	$ 34,341
0265	04-03	$ 45,880	$ 7,405	$ 53,285	$ (1,893)	$ 51,392	$ 17,181	$ -	$ 68,573	445	$154.10	$154.11	$ 38,536	$ 17,181	$ 55,718
0266	04-04	$ 7,149	$ 685	$ 7,834	$ (206)	$ 7,628	$ (99)	$ -	$ 7,529	20	$376.44	$539.35	$ 21,605	$ (99)	$ 21,506
0267	05-01	$ 2,638	$ 434	$ 3,072	$ (46)	$ 3,026	$ (210)	$ -	$ 2,816	38	$74.10	$143.37	$ 13,123	$ (210)	$ 12,913
0268	05-02	$ 10,708	$ 2,090	$ 12,798	$ (595)	$ 12,203	$ (155)	$ -	$ 12,048	150	$80.32	$121.99	$ 25,673	$ (155)	$ 25,519
0269	06-01	$ 27,792	$ 4,389	$ 32,181	$ (1,317)	$ 30,864	$ 1,571	$ -	$ 32,435	144	$225.24	$225.25	$ (4,790)	$ 1,571	$ (3,219)
0272	07-02	$ 6,269	$ 2,386	$ 8,655	$ (397)	$ 8,258	$ (827)	$ -	$ 7,431	265	$28.04	$154.11	$ 83,343	$ (827)	$ 82,516
0270	09-01	$ 2,089	$ 290	$ 2,378	$ (95)	$ 2,283	$ (139)	$ -	$ 2,143	14	$153.10	$288.94	$ 10,187	$ (139)	$ 10,048
0271	09-02	$ 19,940	$ 2,520	$ 22,460	$ (703)	$ 21,756	$ 3,533	$ -	$ 25,289	121	$209.00	$224.74	$ 33,734	$ 3,533	$ 37,267
0273	14-01	$ 30,510	$ 3,652	$ 34,162	$ (1,033)	$ 33,130	$ 2,319	$ -	$ 35,448	175	$202.56	$264.71	$ 56,460	$ 2,319	$ 58,779
0274	15-01	$ 152,558	$ 16,142	$ 168,700	$ (5,563)	$ 163,137	$ 32,648	$ -	$ 195,785	467	$419.24	$502.83	$ 208,875	$ 32,648	$ 241,522
0275	15-02	$ 9,283	$ 890	$ 10,173	$ (221)	$ 9,951	$ (1,338)	$ -	$ 8,613	34	$253.32	$253.33	$ 2,142	$ (1,338)	$ 803
0276	16-01	$ 12,475	$ 1,294	$ 13,769	$ (340)	$ 13,429	$ (1,012)	$ -	$ 12,417	54	$229.94	$229.95	$ (6)	$ (1,012)	$ (1,018)
0277	16-02	$ 9,713	$ 1,624	$ 11,337	$ (423)	$ 10,914	$ (1,125)	$ -	$ 9,788	113	$86.62	$173.51	$ 28,045	$ (1,125)	$ 26,920
0278	18-01	$ 72,920	$ 7,812	$ 80,732	$ (2,496)	$ 78,236	$ 15,028	$ -	$ 93,264	267	$349.30	$532.51	$ 162,804	$ 15,028	$ 177,831
0279	19-01	$ 10,638	$ 830	$ 11,467	$ (177)	$ 11,290	$ 937	$ -	$ 12,227	22	$555.78	$581.62	$ 9,150	$ 937	$ 10,086
0280	19-02	$ 7,396	$ 1,002	$ 8,398	$ (222)	$ 8,176	$ 3,878	$ -	$ 12,054	66	$182.64	$481.57	$ 5,770	$ 3,878	$ 9,648
0281	20-01	$ 42,399	$ 4,598	$ 46,997	$ (1,935)	$ 45,062	$ 8,466	$ -	$ 53,528	80	$669.10	$708.41	$ 39,406	$ 8,466	$ 47,872
0282	21-01	$ 47,574	$ 4,560	$ 52,134	$ (1,815)	$ 50,319	$ 5,662	$ -	$ 55,981	56	$999.66	$1,131.54	$ 64,457	$ 5,662	$ 70,119
District	Totals	$ 760,193	$ 113,674	$ 873,867	$ (29,869)	$ 843,998	$ 119,945	$ (14,117)	$ 949,826	6,772			$ 957,596	$ 105,828	$ 1,063,424

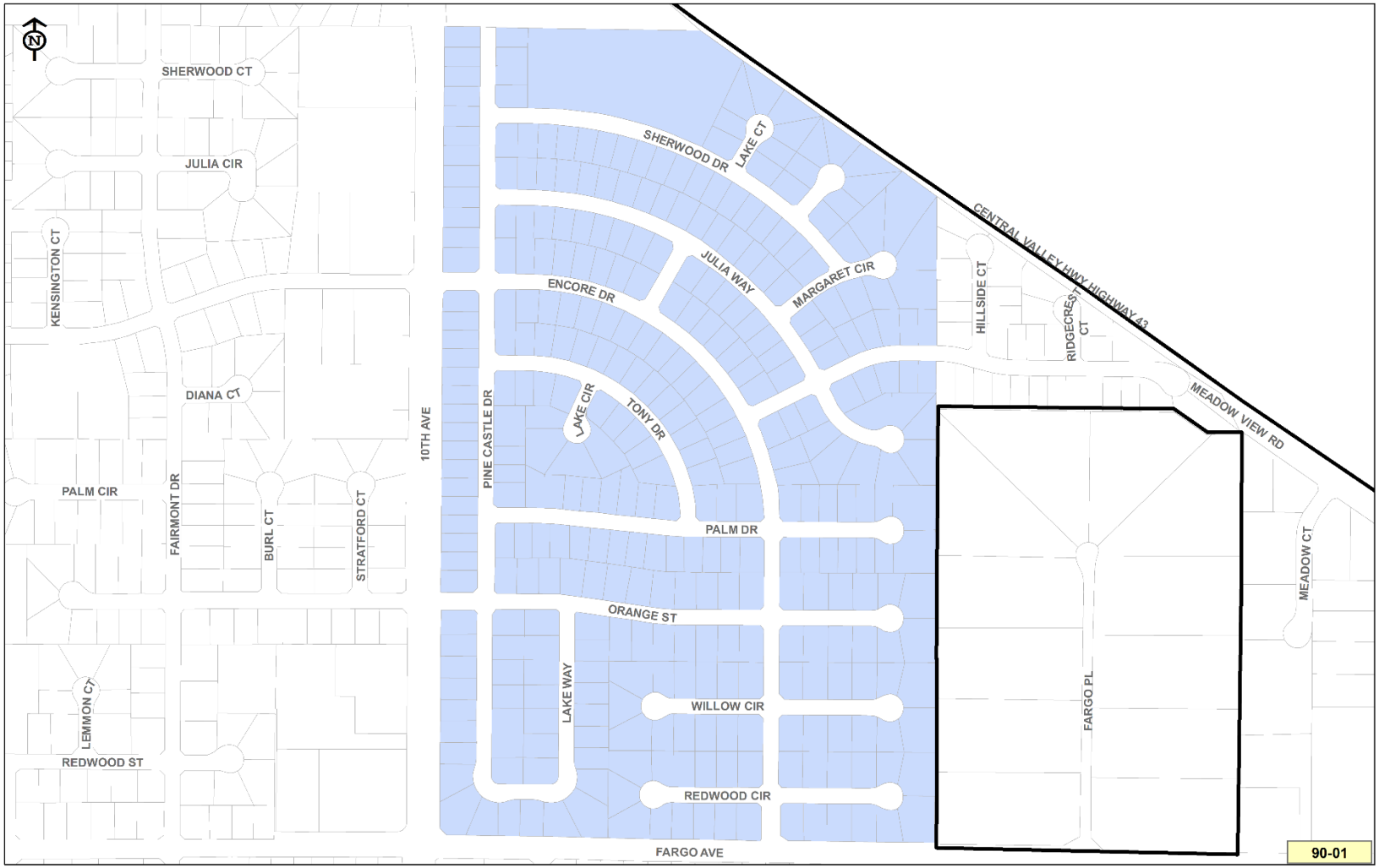
Part IV - District Diagrams

The following pages contain an Overview LLMD Diagram showing the general location of the Districts within the City of Hanford for fiscal year 2024/2025 described within this Report as well as individual District Diagrams for each of the individual Districts, which incorporates the parcels determined to receive special benefits from the various District improvements. All parcels that will receive a special benefit from the improvements provided within each District consist of all lots, parcels and subdivisions of land within the boundaries of those Districts as depicted by these diagrams and the lines and dimensions of those lots, parcels and subdivisions of land shall be those lines and dimensions shown on the current Kings County Assessor's parcel maps and by reference the Kings County Assessor's parcel maps are incorporated herein and made part of this Report. This diagram along with the Assessment Roll incorporated in this Report constitute the District Assessment Diagram for each District for fiscal year 2024/2025.

Overview LLMD Diagram

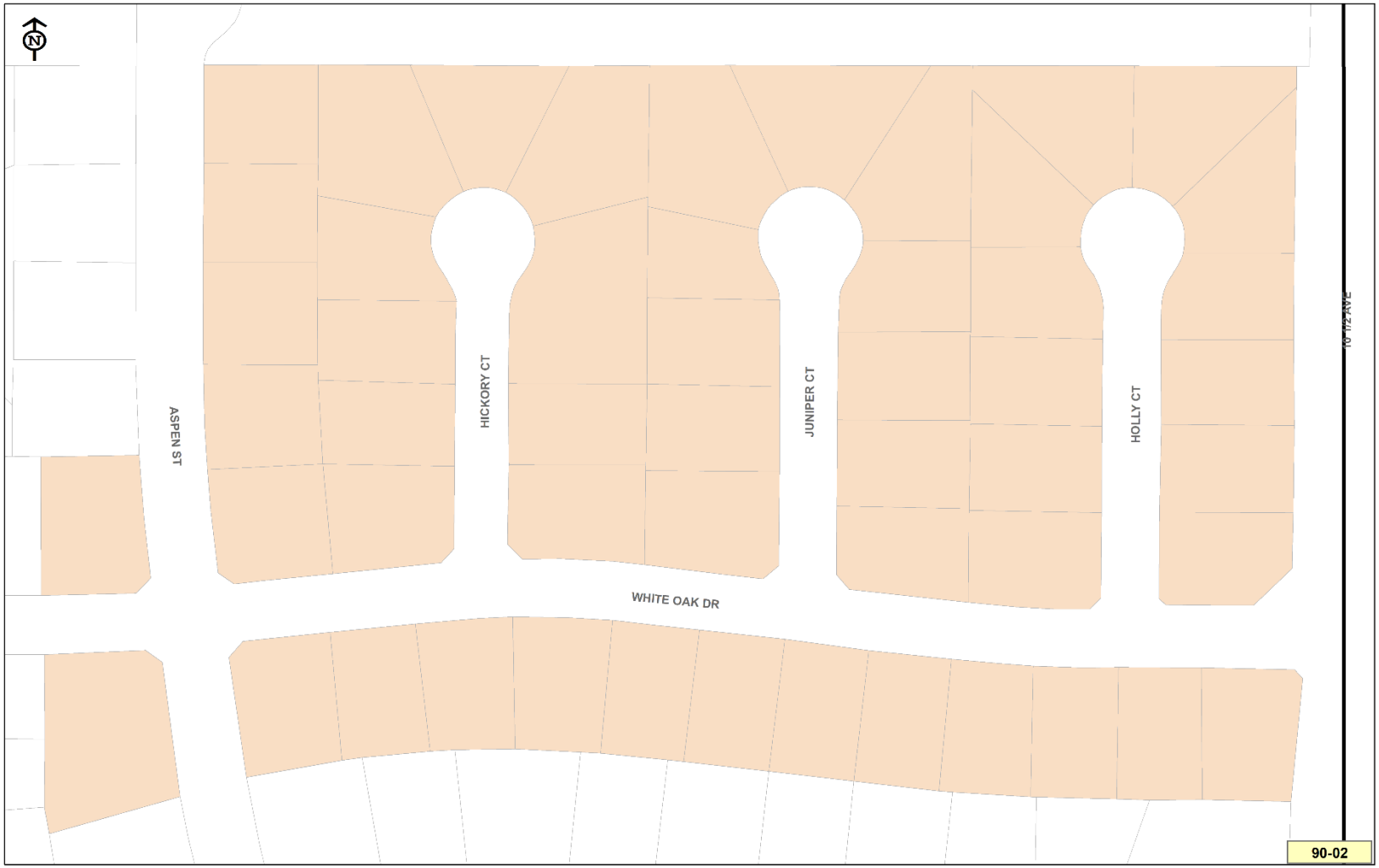


District 90-01: Pinecastle Addition Units 1 through 4



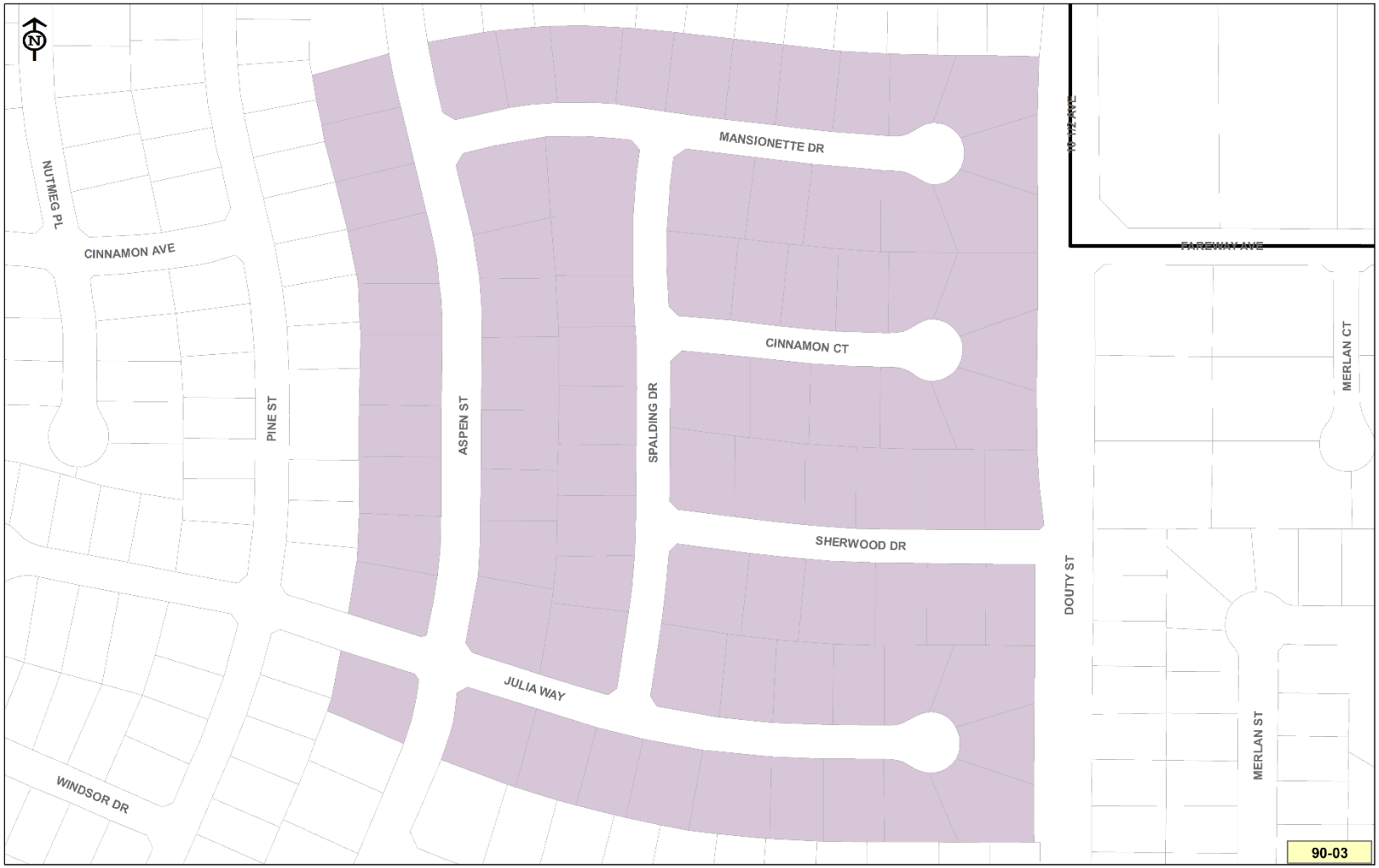
Date: 4/26/2022

District 90-02: Park Monterey Units 1 and 2



Date: 4/26/2022

District 90-03: Mansionette Units 7 and 8



Date: 4/26/2022

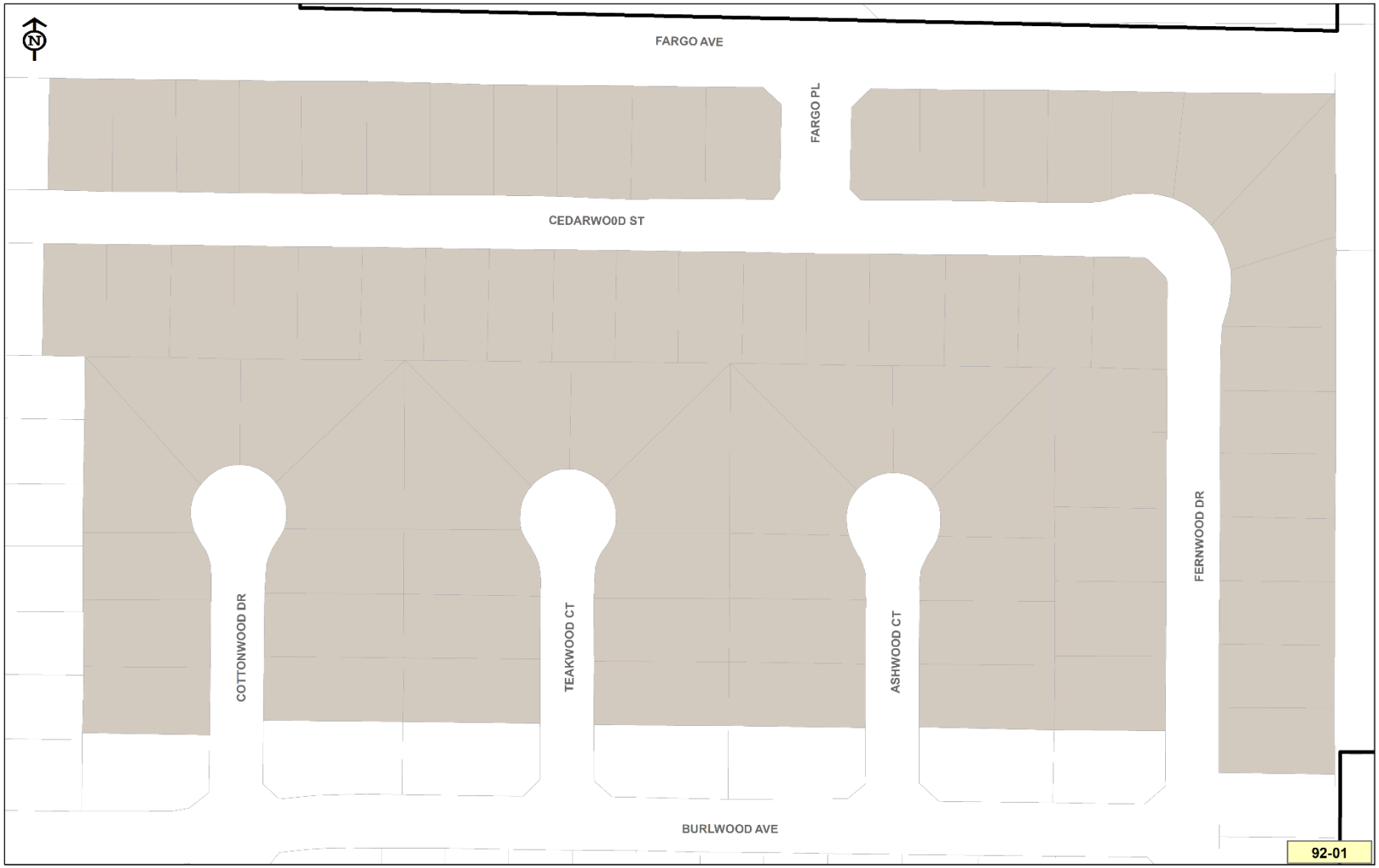
District 90-04: Hyde Park

Date: 4/26/2022

District 91-01: Sierra Vista & New Dimensions Units 1 through 5

Date: 4/26/2022

District 92-01: Portofino Unit Units 1 through 4

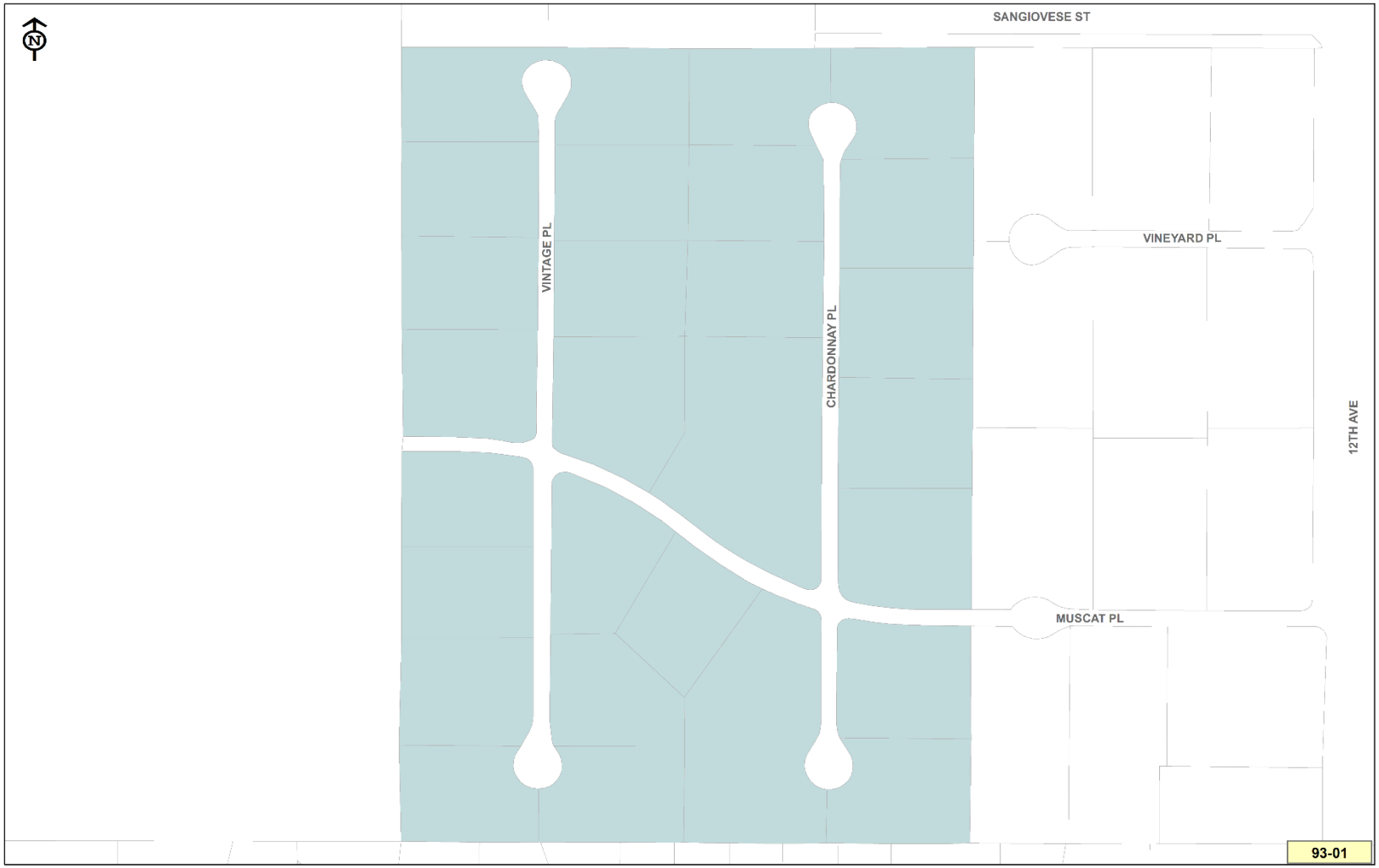


Date: 4/26/2022

District 92-02: Cielo En Tierra Units 1 through 5

Date: 4/26/2022

District 93-01: Vintage Estates



Date: 4/26/2022

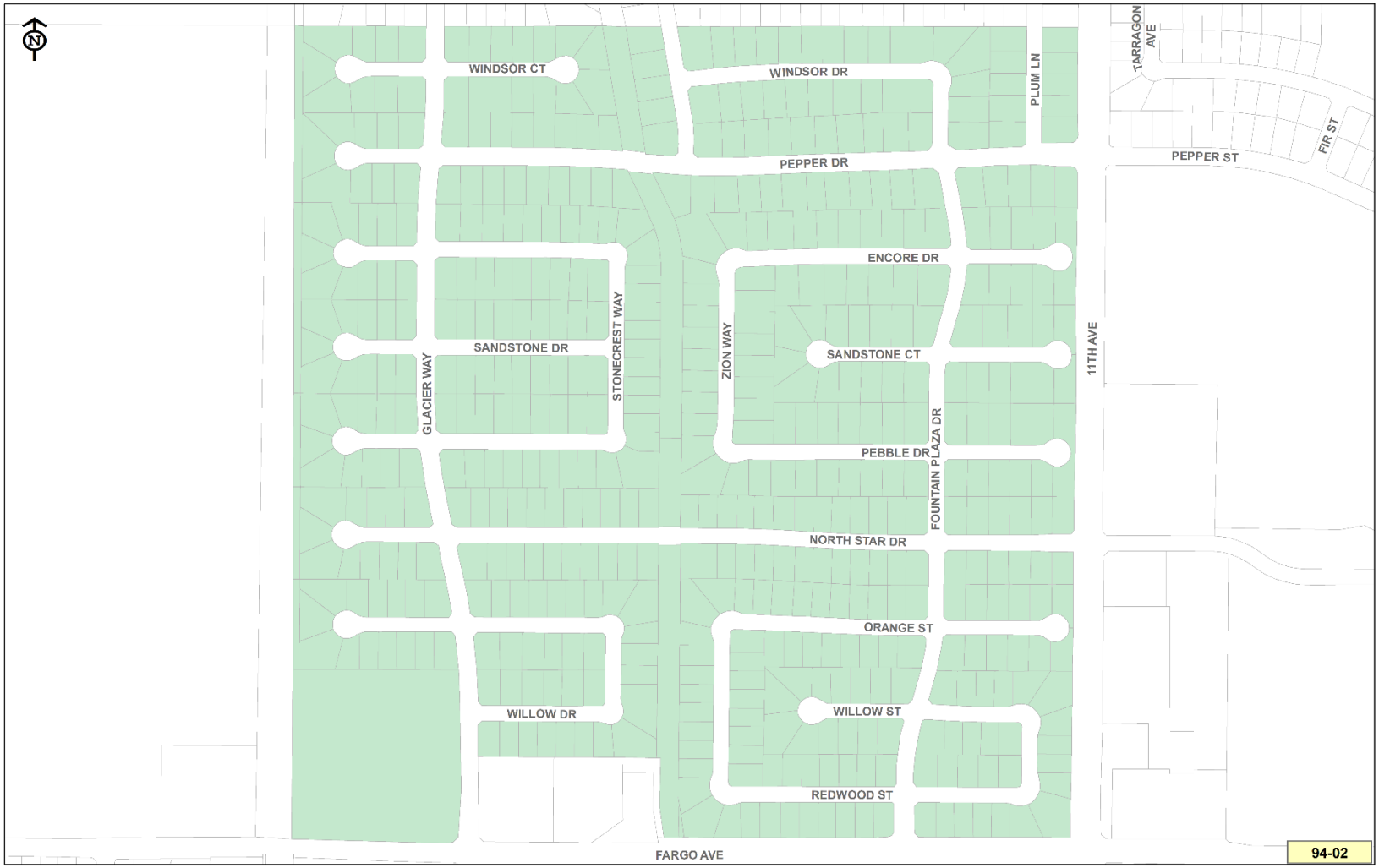
District 93-02: Walnut Forest Units 1 through 3

Date: 4/26/2022

District 94-01: Gateway Estates

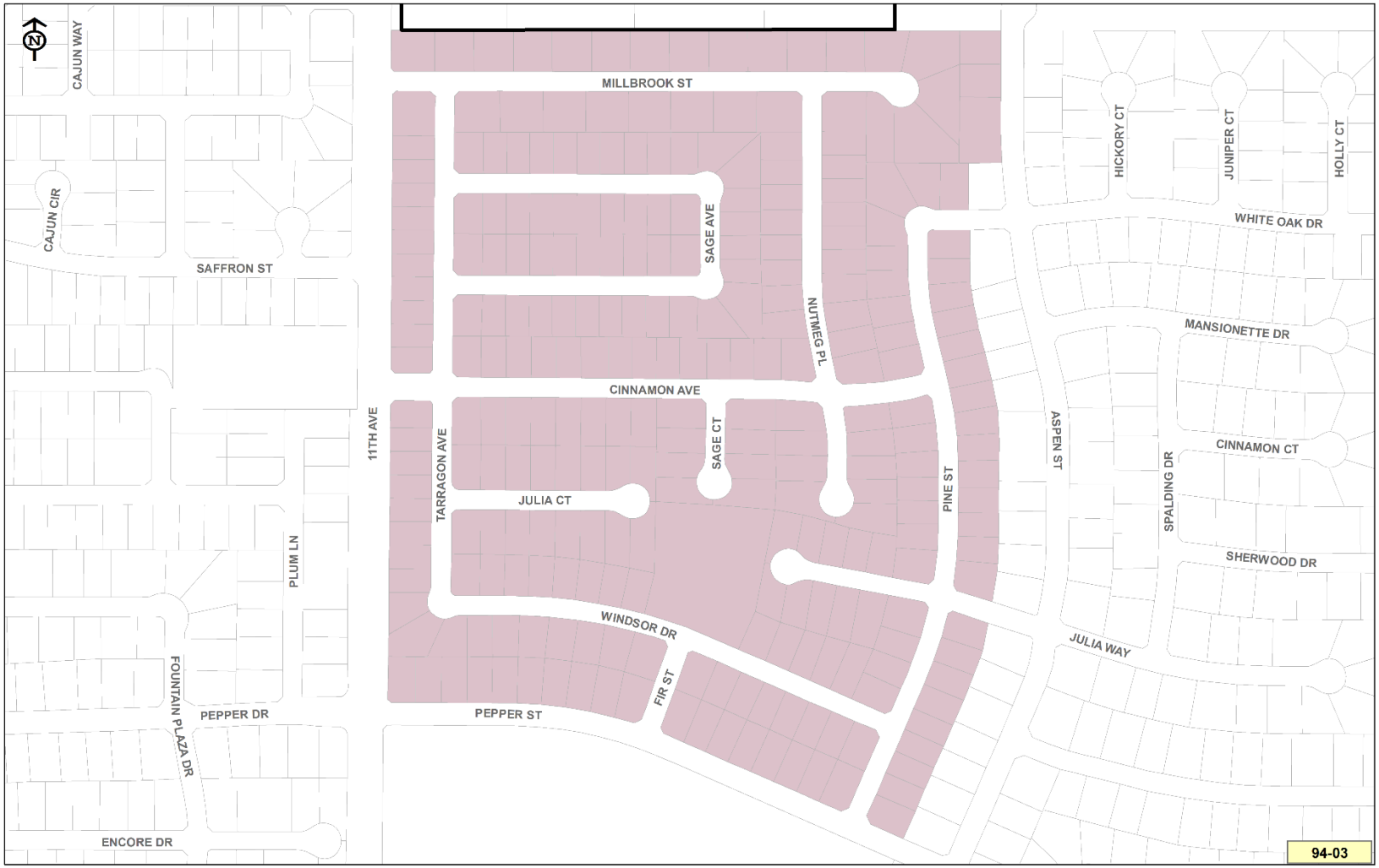
Date: 4/26/2022

District 94-02: Stonecrest Units 1 through 9



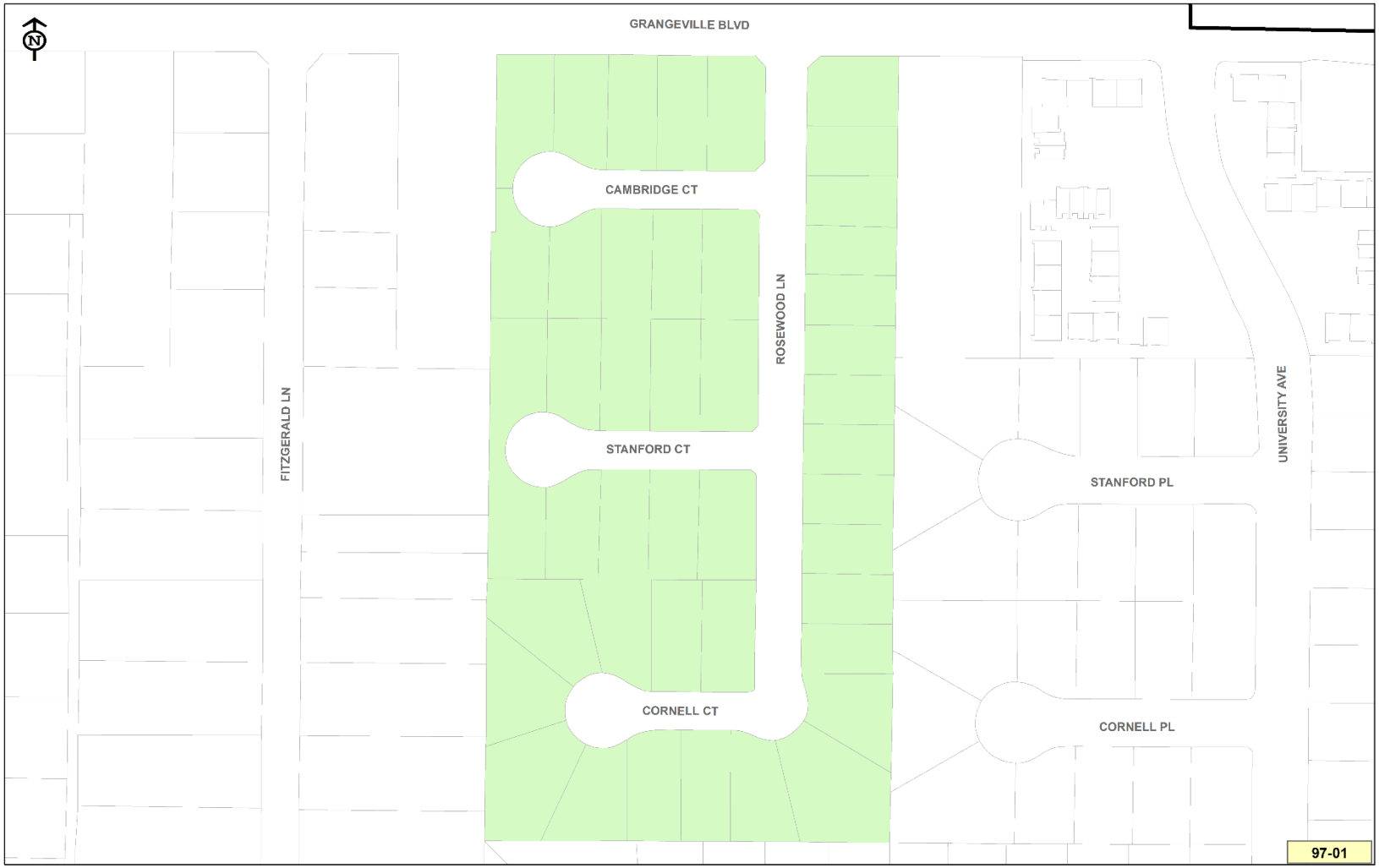
Date: 4/26/2022

District 94-03: Quail Run Estates Units 1 through 5



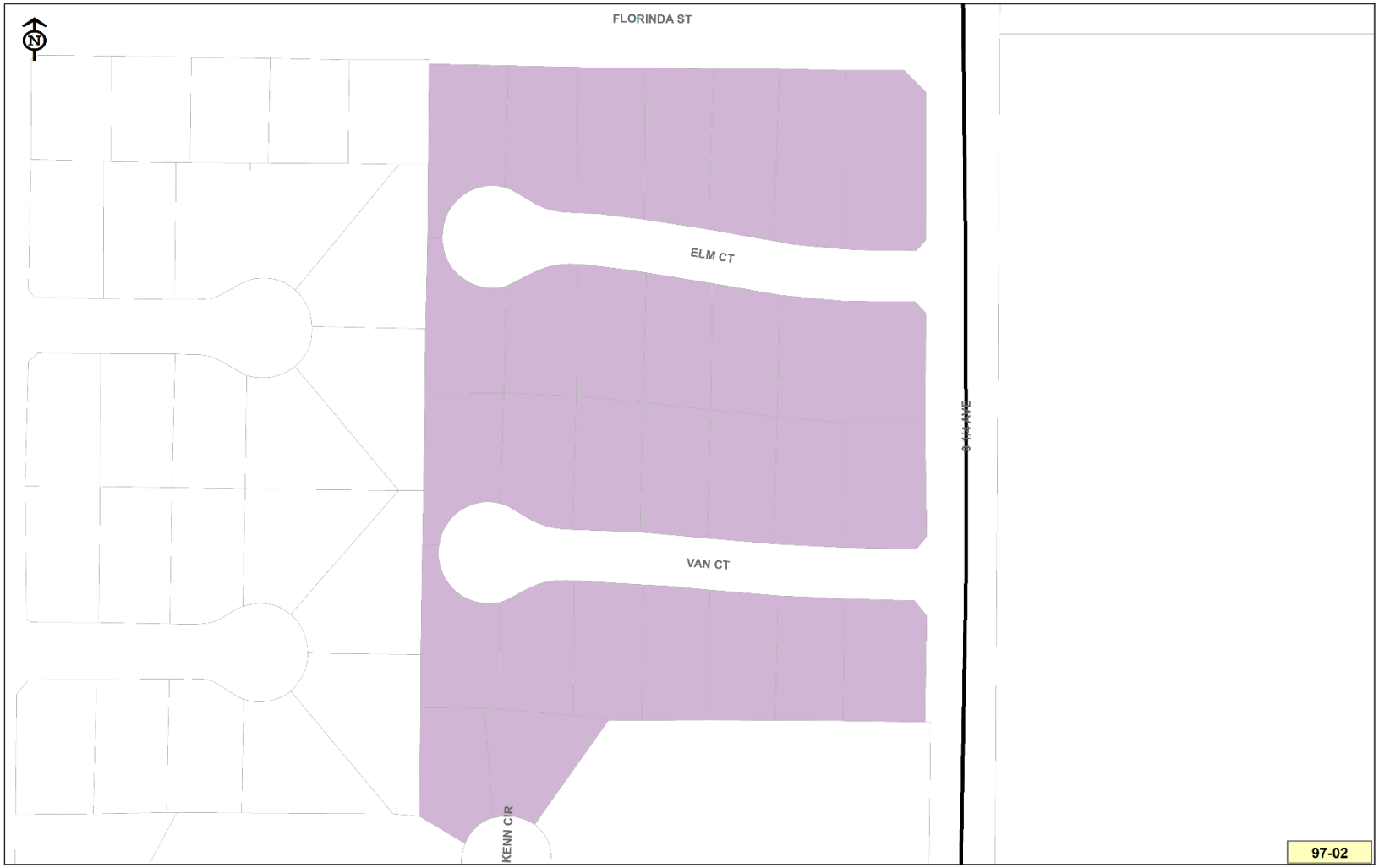
Date: 4/26/2022

District 97-01: Rosewood Estates Units 1 & 2



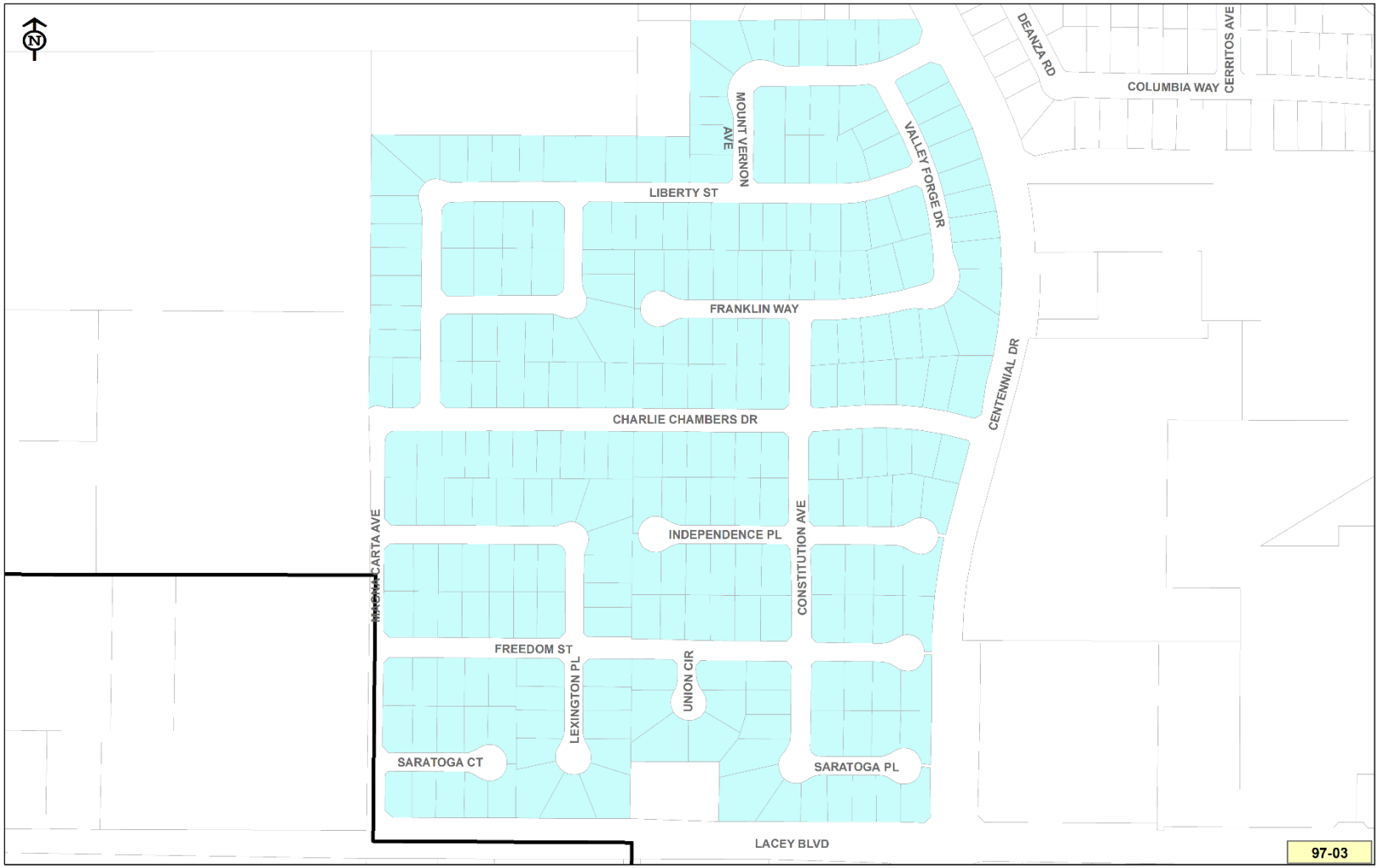
Date: 4/26/2022

District 97-02: Summer Field Addition #2



Date: 4/26/2022

District 97-03: Country Crossing Units 1 through 5



Date: 4/26/2022

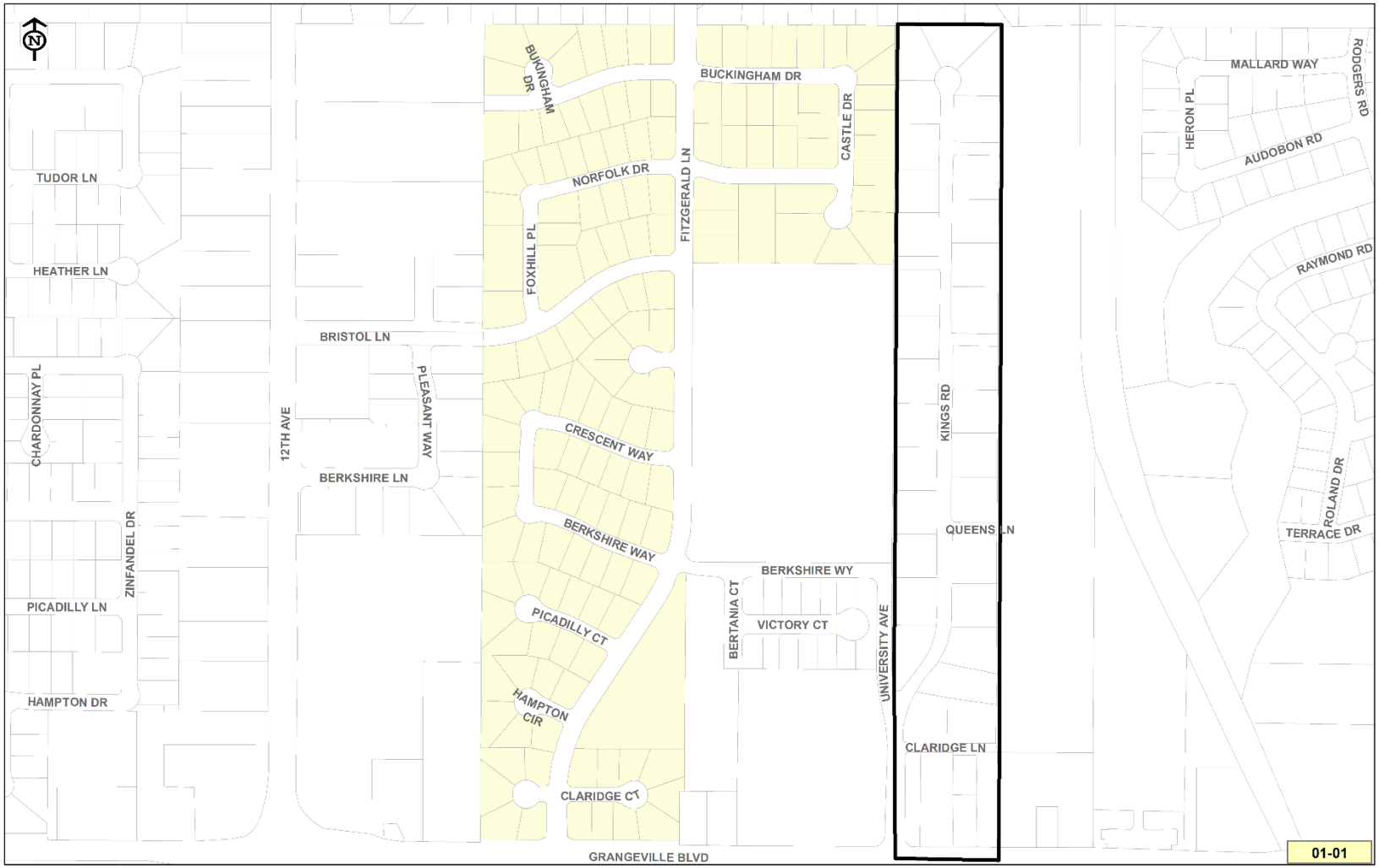
District 98-01: Crystal Springs Units 1 through 3

Date: 4/26/2022

District 98-02: Mountain View Estates Units 1 through 6

Date: 4/26/2022

District 01-01: Pacific Grove Units 1 through 3 and N. Pointe Units 1 through 4



Date: 4/26/2022

District 01-02: Cambridge Homes Units 1 through 3

Date: 4/26/2022

District 01-03: Poppy Hills Units 1 & 2

Date: 4/26/2022

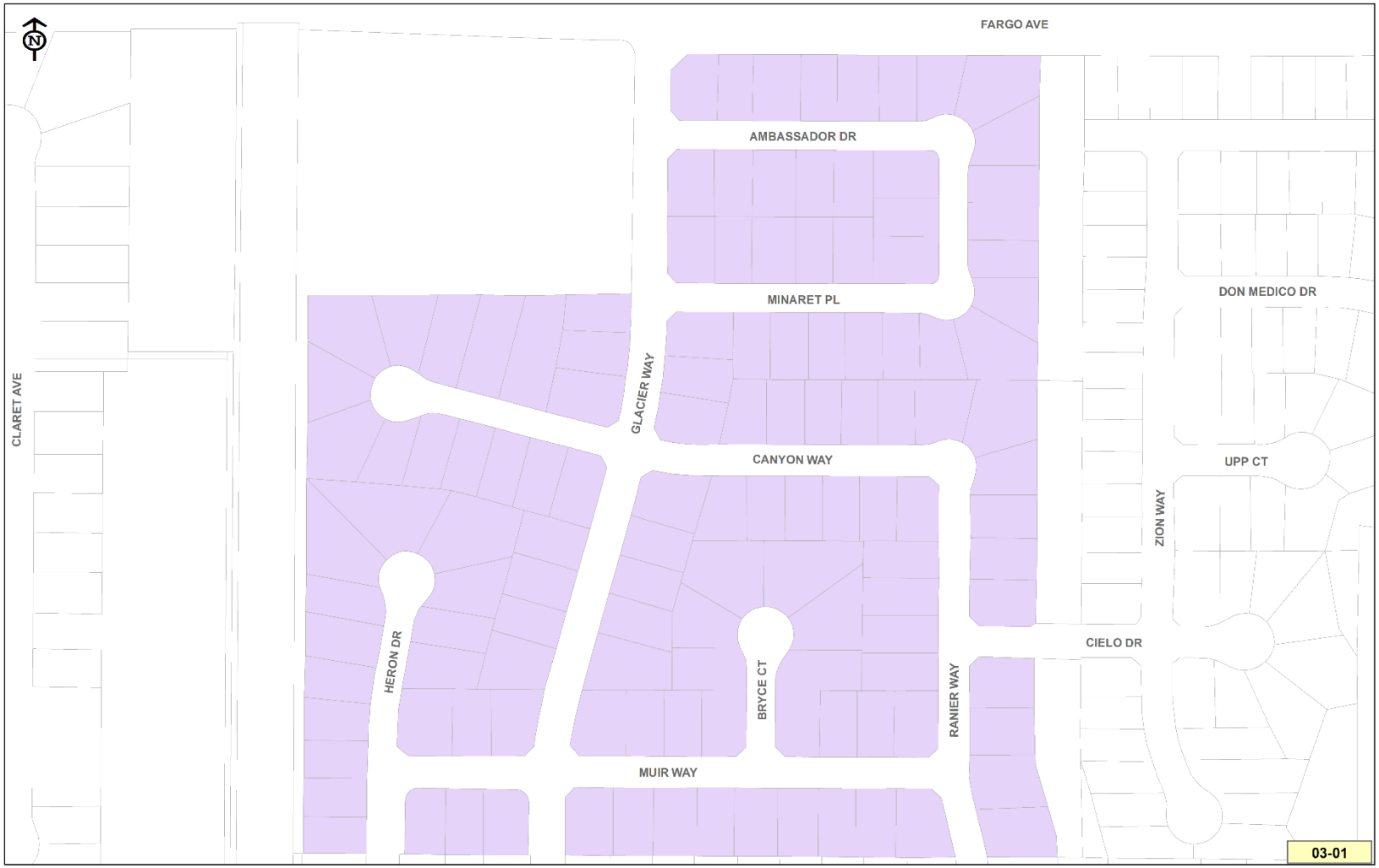
District 01-04: Silver Oaks Units 1 through 5

Date: 4/26/2022

District 02-01: Ashton Park Units 1 through 4

Date: 4/26/2022

District 03-01: Le Parc Units 1 through 3

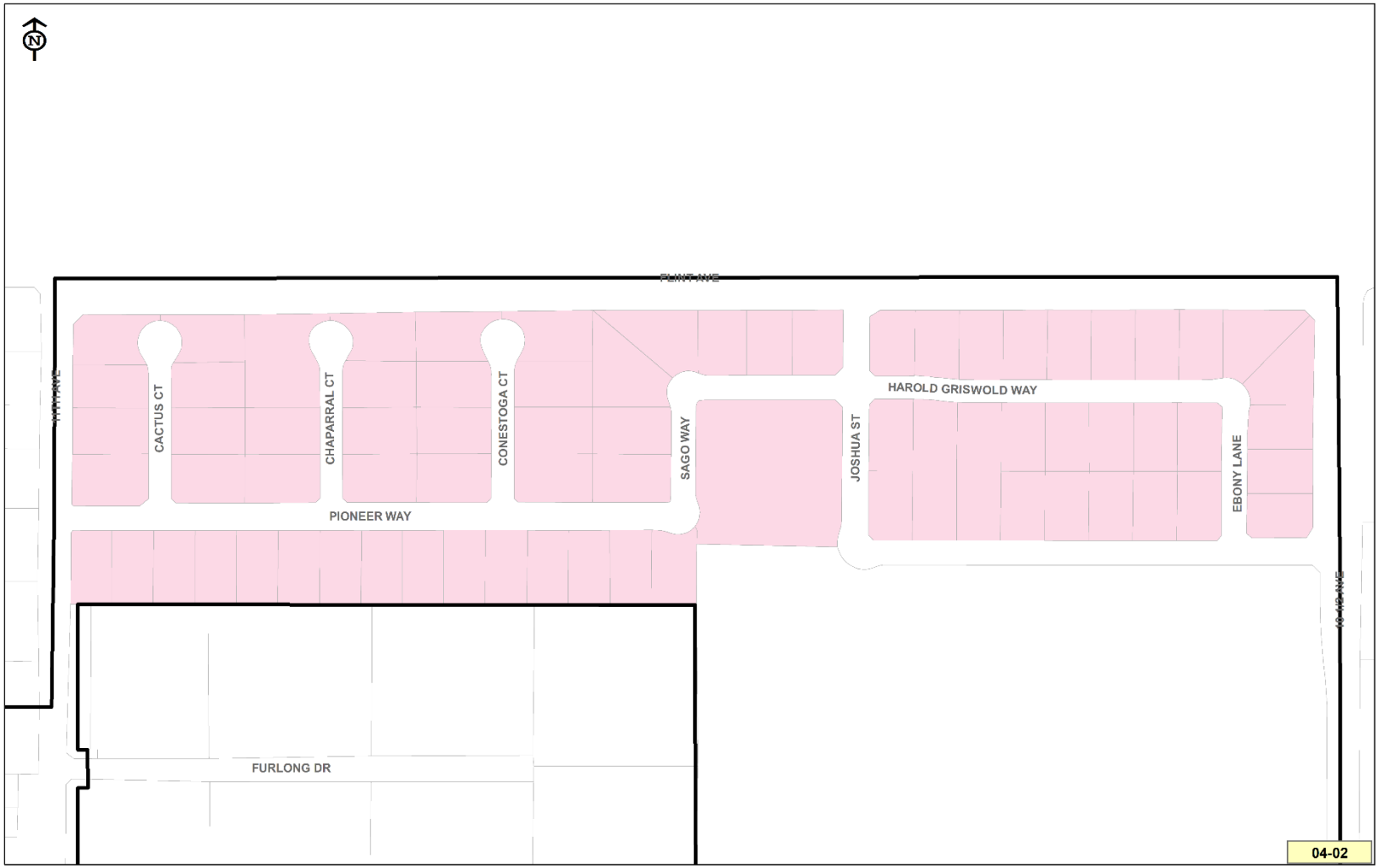


Date: 4/26/2022

District 04-01: Sidonia Units 1 & 2 and Sidonia Estates II

Date: 4/26/2022

District 04-02: Cambridge Homes/Majesty II

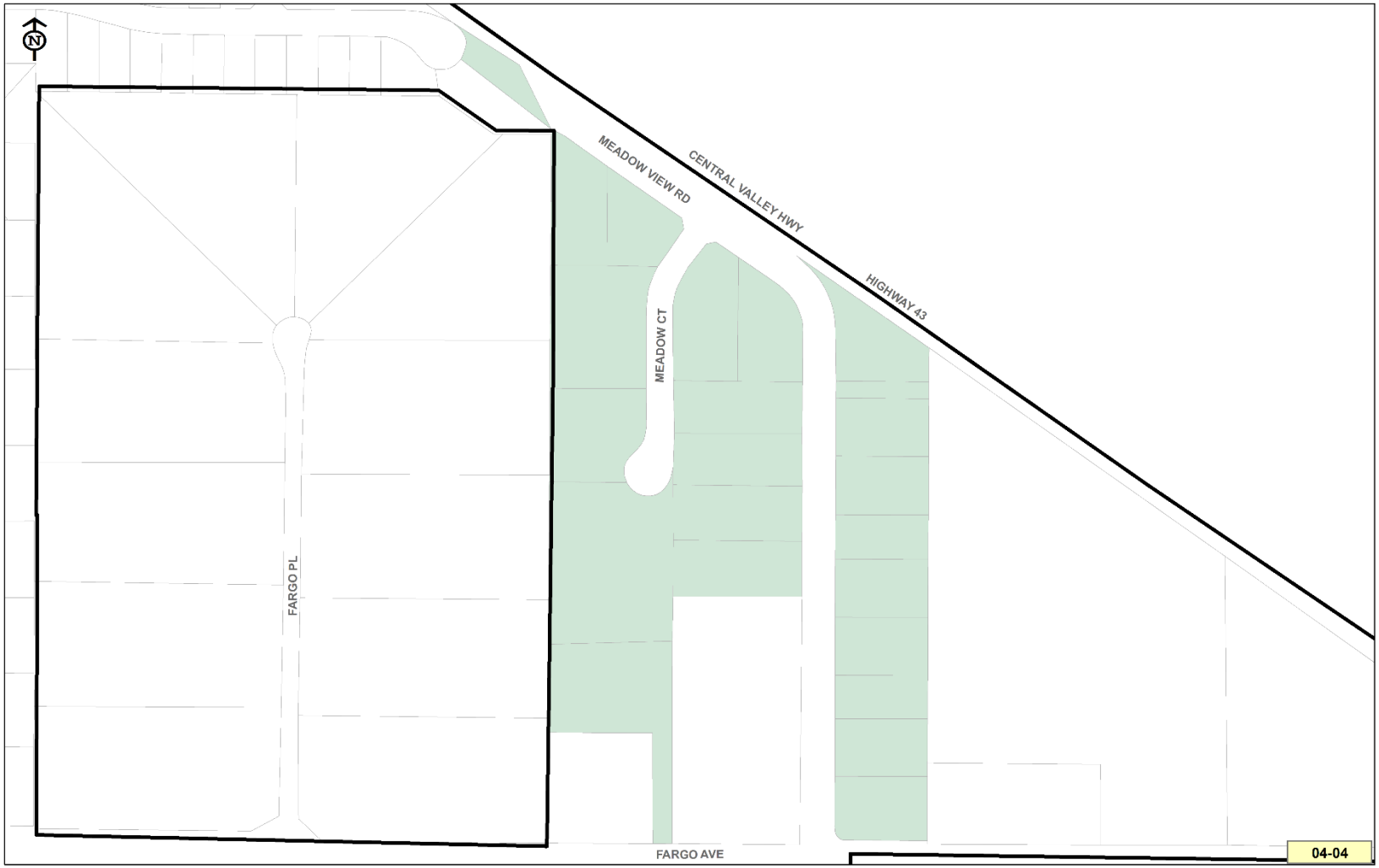


Date: 4/26/2022

District 04-03: Cambridge Homes - Majesty II #2, Cambridge Homes Units 1 through 6, Cambridge Homes-Vineyards Units 1 through 4

Date: 4/26/2022

District 04-04: Sierra Heights Units 1 and 2

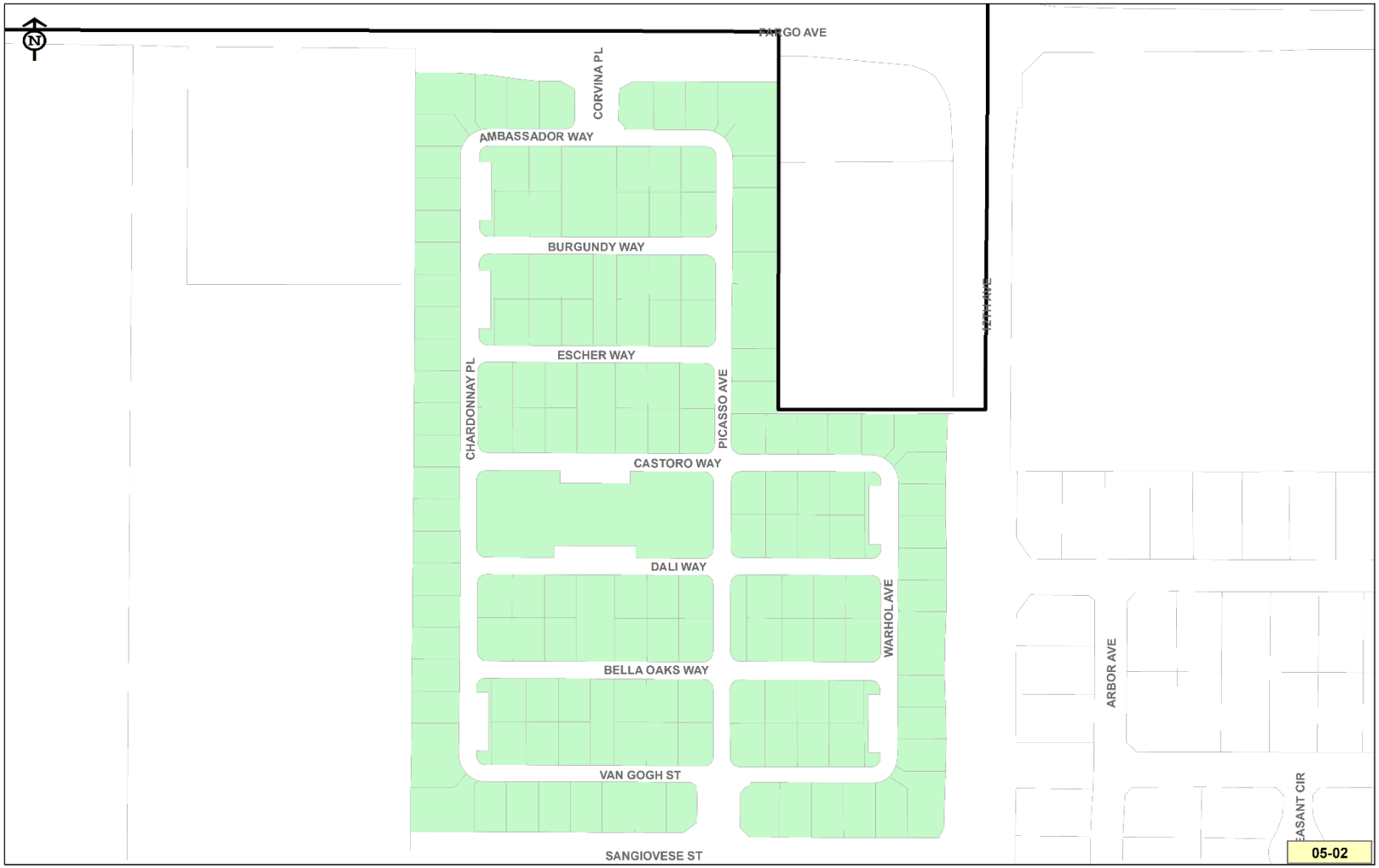


Date: 4/26/2022

District 05-01: Mission Park

Date: 4/26/2022

District 05-02: Copper Valley

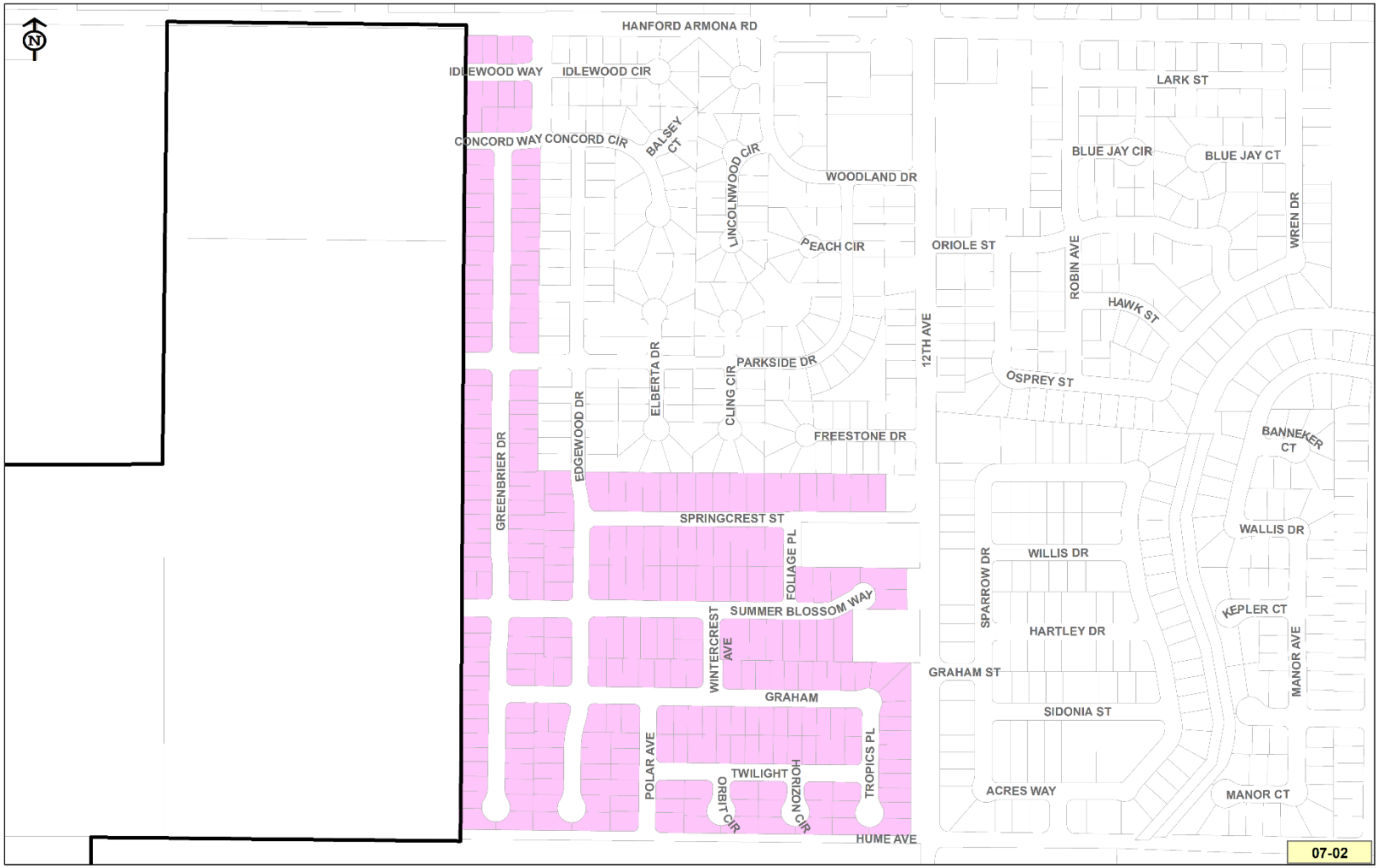


Date: 4/26/2022

District 06-01: Quail Park Subdivision

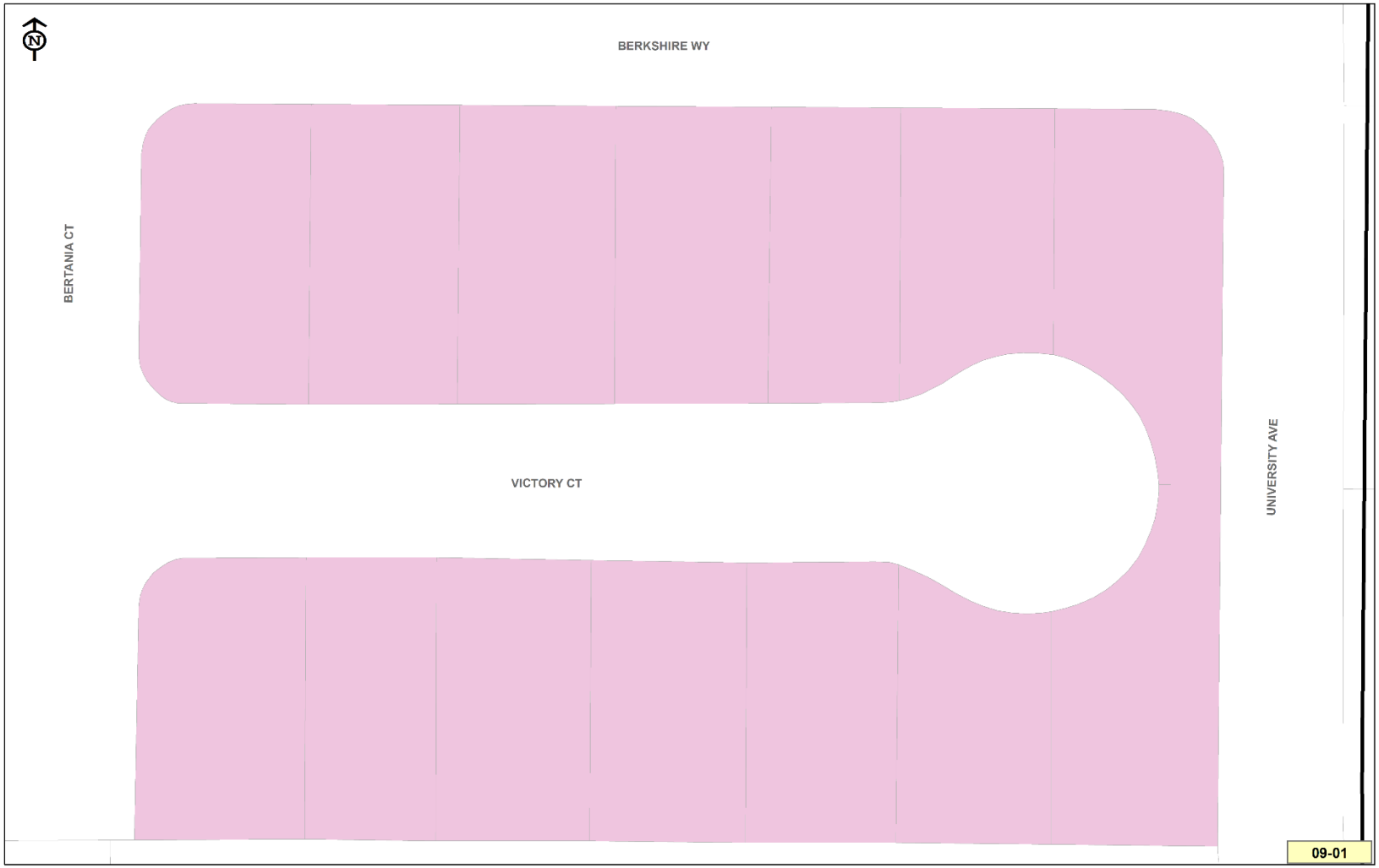
Date: 4/26/2022

District 07-02: South Gate Addition, Greenbrier Gardens, & Live Oak North



Date: 4/26/2022

District 09-01: Victory Estates



Date: 4/26/2022

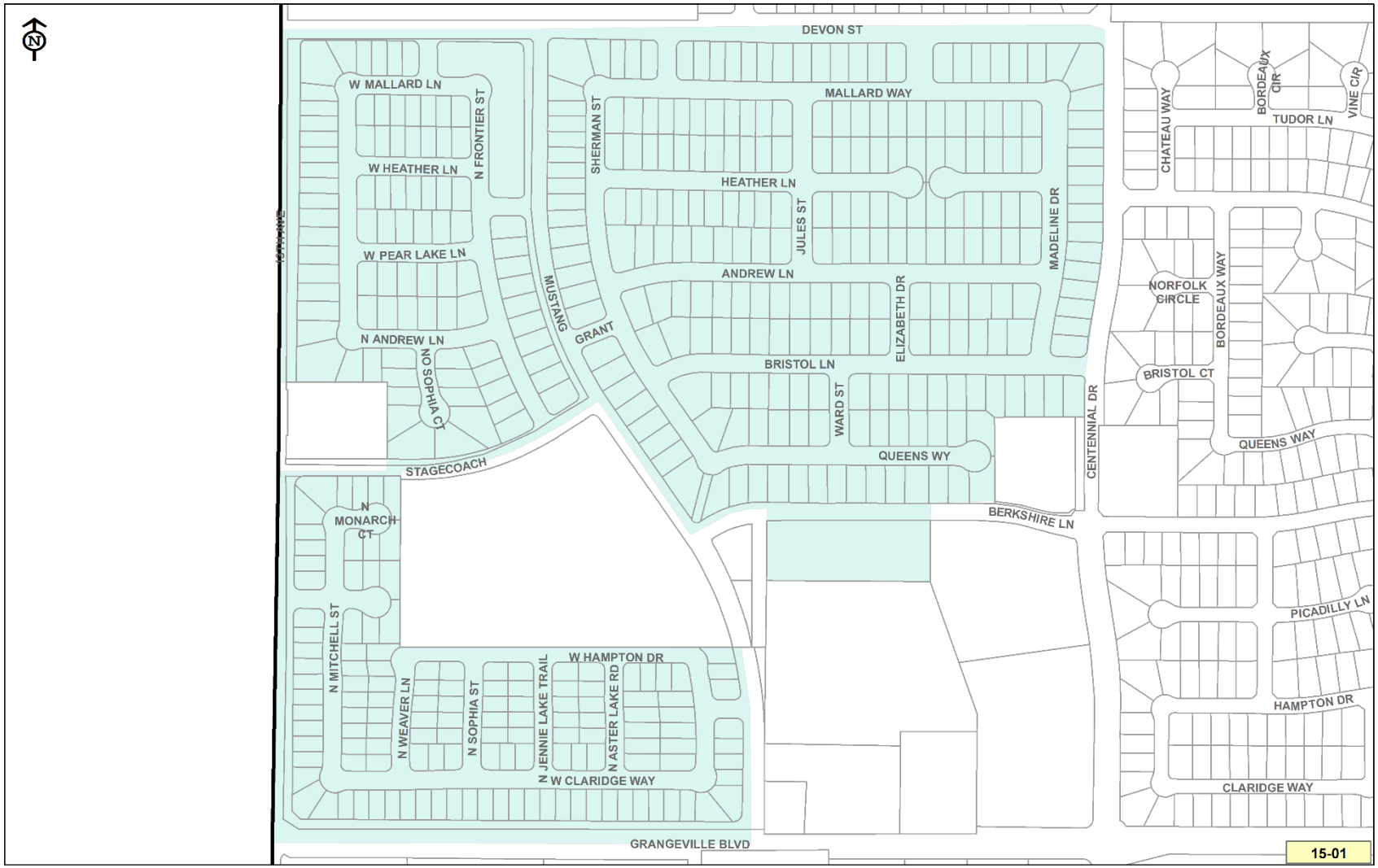
District 09-02: Independence Units 1 & 2

Date: 4/26/2022

District 14-01: Independence Units 3 & 4

Date: 4/26/2022

District 15-01: Silver Oaks Addition III Units 1 and 2, Lennar Homes Units 1 and 2, and Lennar Homes

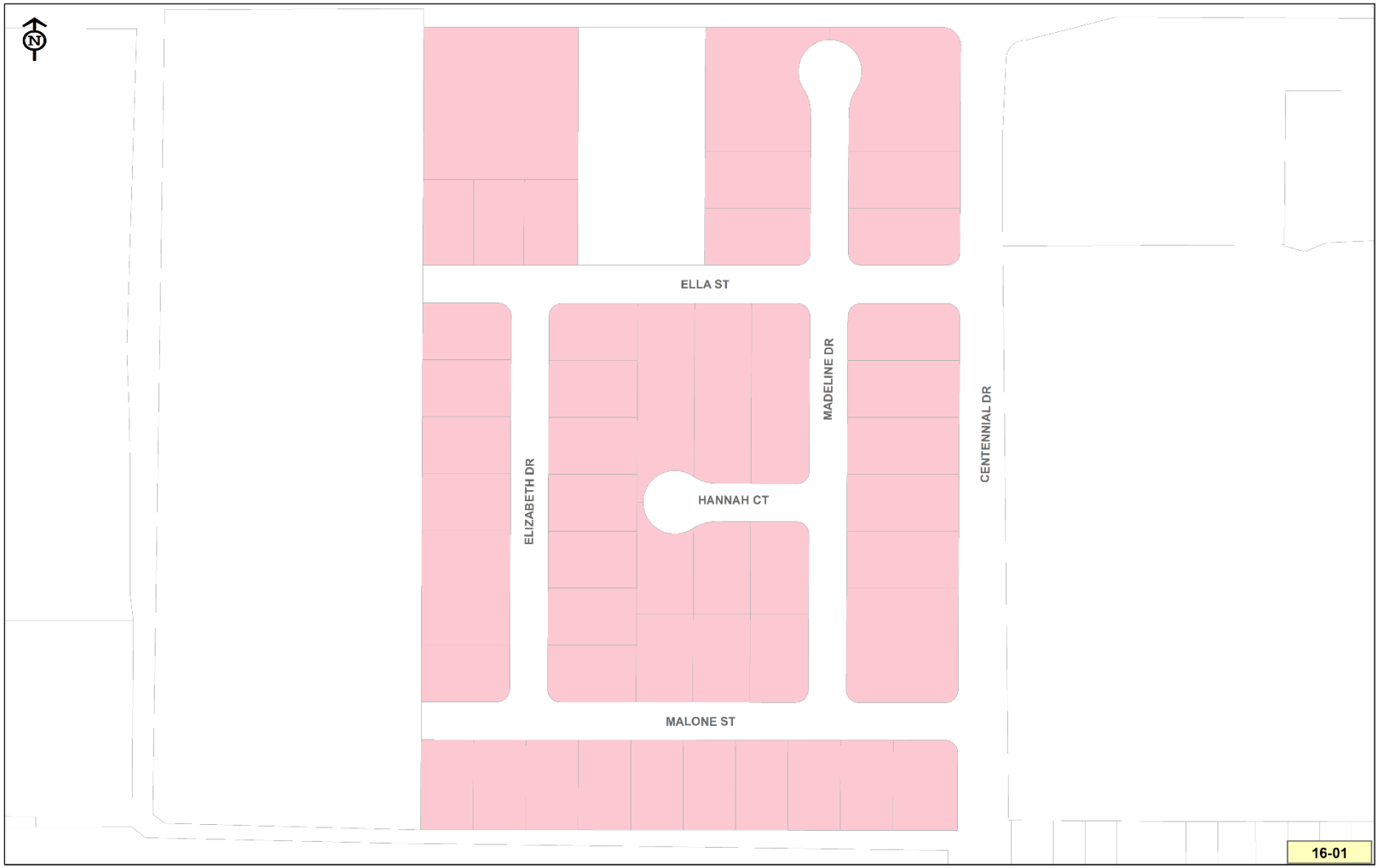


Date: 6/16/2022

District 15-02: The Greens II

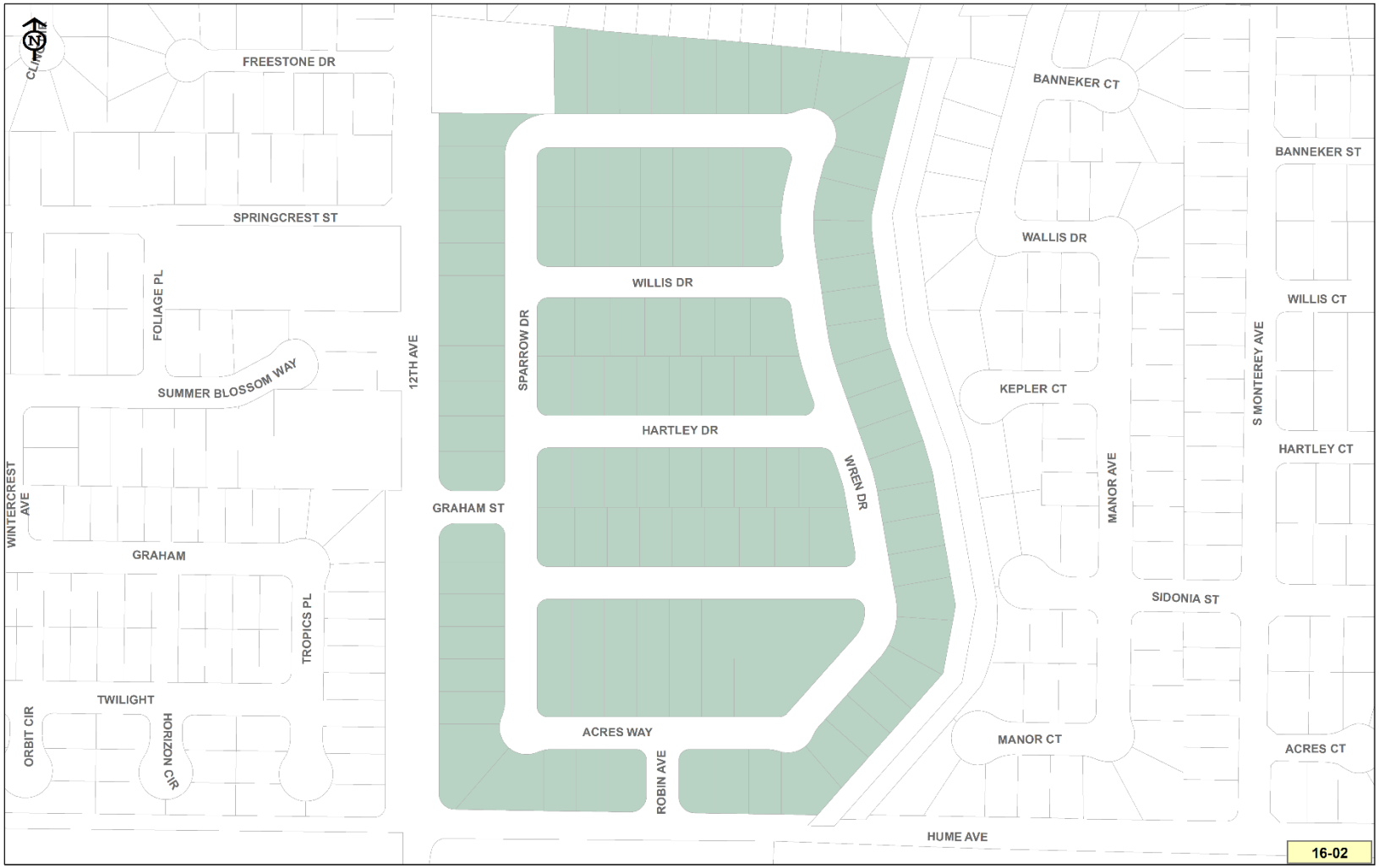
Date: 4/26/2022

District 16-01: Woodside Homes



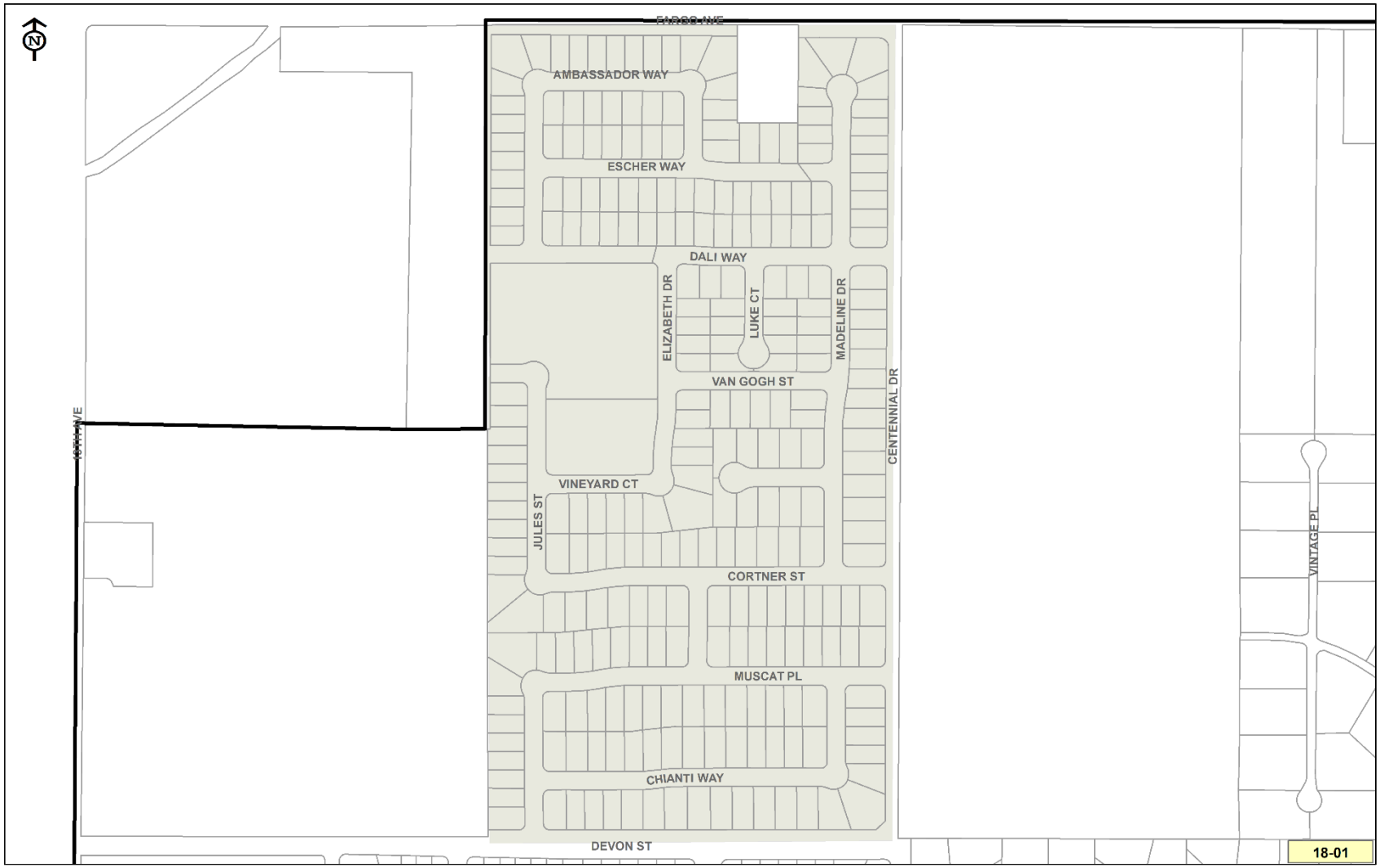
Date: 4/26/2022

District 16-02: Mynderup Units 1 & 2



Date: 4/26/2022

District 18-01: Bella Vista Units 1 through 4



Date: 6/16/2022

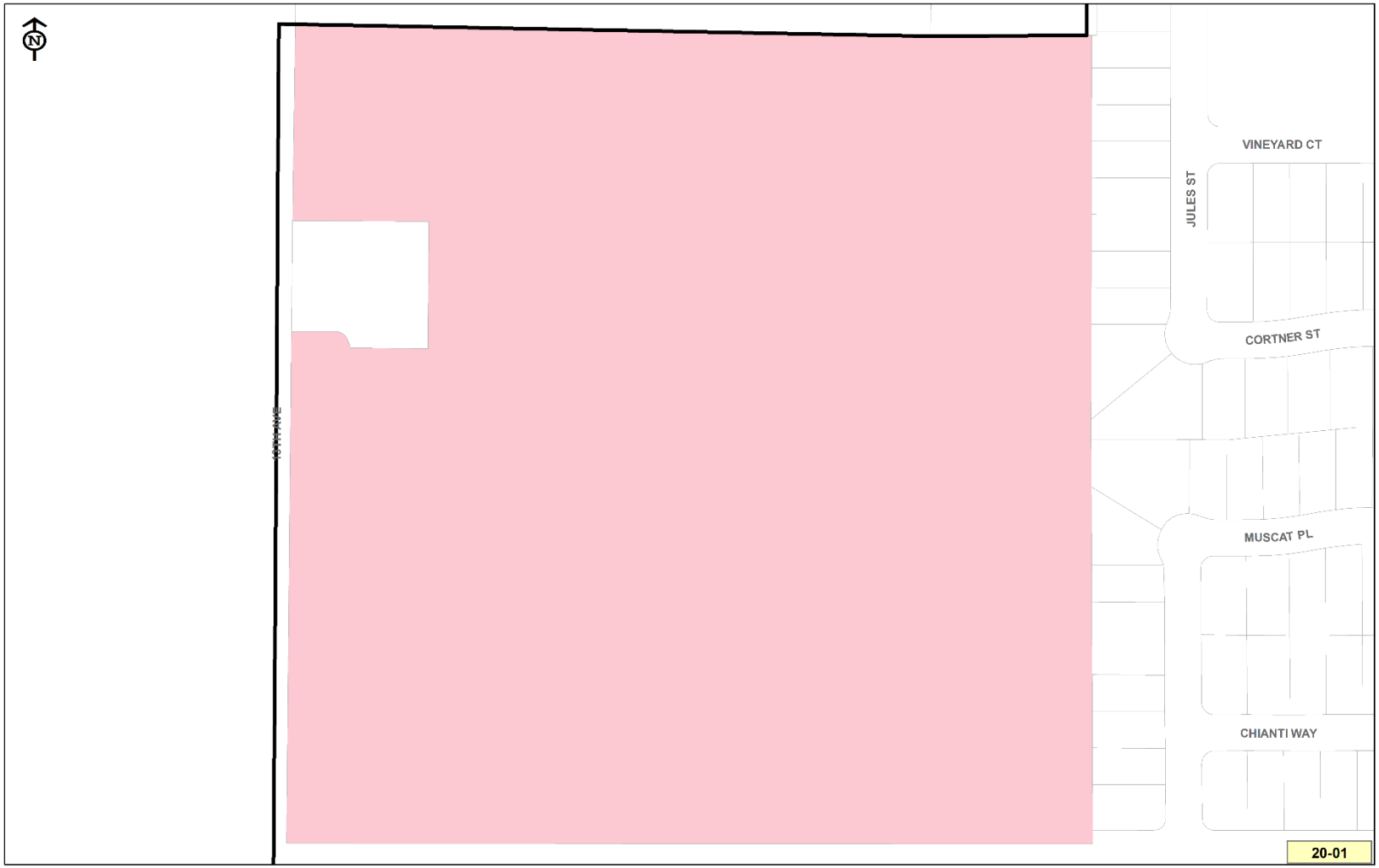
District 19-01: Pacific Grove Addition II

Date: 4/26/2022

District 19-02: The Enclave

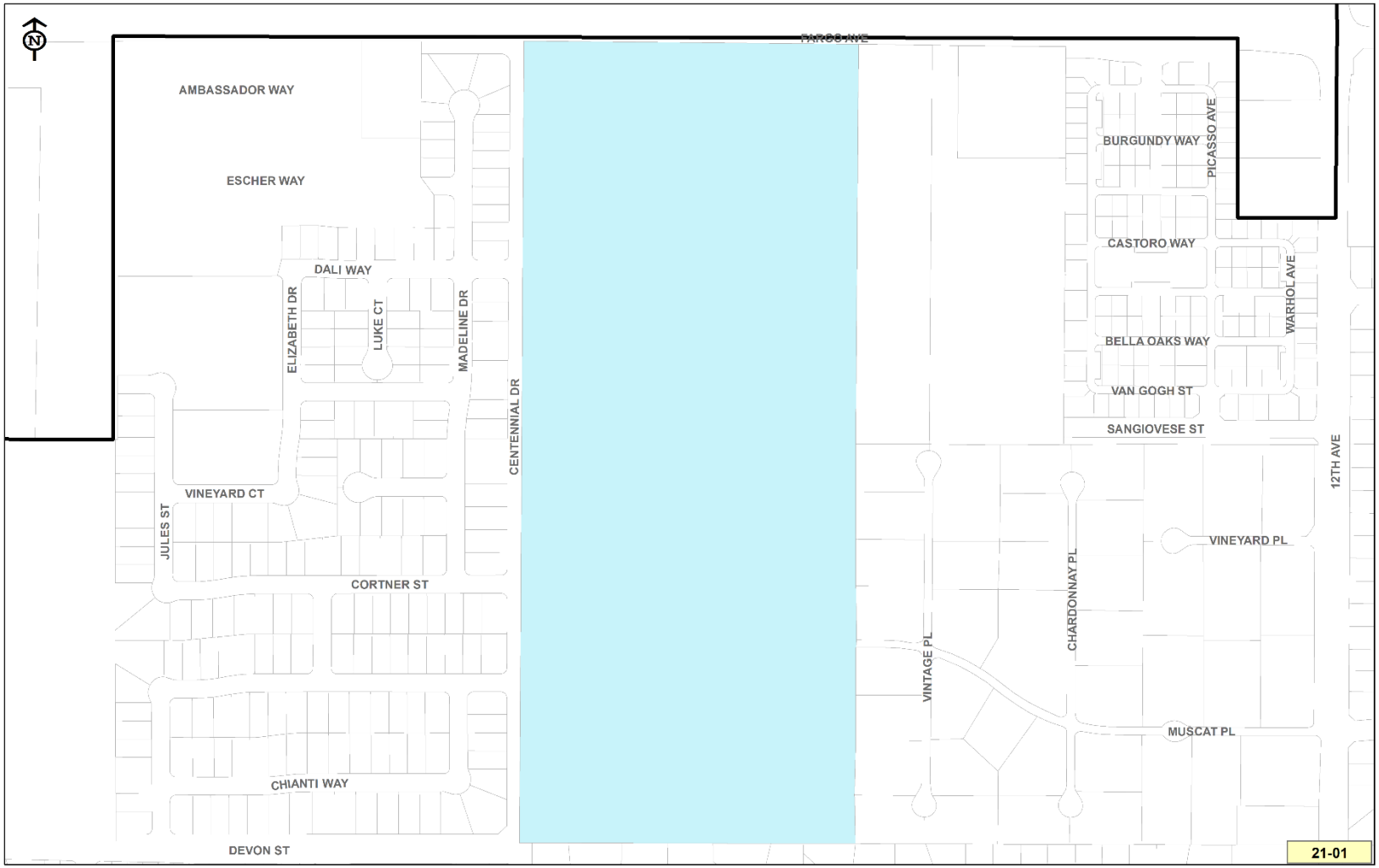
Date: 4/26/2022

District 20-01: Woodside Homes



Date: 6/15/2022

District 21-01: San Joaquin Valley Homes



Date: 6/15/2022

Part V - Assessment Rolls

Due to the number of parcels in the Districts, the Assessment Roll for fiscal year 2024/2025 has been filed with the City Clerk in an electronic format and is, by reference, made part of this Report.

The Assessment Roll identifies the parcels within each District that are assessed for special benefits and their corresponding assessment amount for fiscal year 2024/2025. Each parcel listed on the Assessment Roll is currently shown and illustrated on the County Assessor's Roll and the County Assessor's Parcel Number Maps (APN maps). These records are by reference, made part of this Report and shall govern for all details concerning the description of the lots or parcels. All assessments presented on the assessment roll are subject to change as a result of parcel changes made by the County including parcel splits, parcel merges or development changes that occur prior to the County Assessor's Office securing the final roll and generating tax bills for fiscal year 2024/2025.

The proposed Assessment Roll shall be available for public inspection in the City Clerk's Office during normal office hours.

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** GENERAL BUSINESS

SUBJECT:
Authorization for the City Manager, with the concurrence of the City Attorney, to enter Into an Agreement with Badger Meters for the Citywide Purchase and Installation of Water Meters, in an Amount Not to Exceed $16.5 million, to be funded out of the Water Fund.

RECOMMENDATION:

Recommendation: The Hanford City Council, by motion, authorize the City Manager with concurrence by the City Attorney to Enter Into an Agreement with Badger Meters to Provide and Install Water Meters Citywide in an Amount Not to Exceed $16.5 million.

Recommended Motion: I move to authorize the City Manager with concurrence by the City Attorney to Enter Into an Agreement with Badger Meters to Provide and Install Water Meters Citywide in an Amount Not to Exceed $16.5 million.

BACKGROUND:

The City's existing water services are metered (Zenner) with a fixed network Advanced Meter Infrastructure (AMI), but most of the meters are more than 15 years old and need to be replaced. The City circulated a Request for Proposals to replace all existing water meters serving City connections with a fixed network Advanced Meter Infrastructure (AMI) system on all connections served by the City. The key purposes of the system-wide water meter replacements are to improve water conservation and water use efficiency; improve system reliability; reduce on-going operational costs; and improve availability of meter parts.

The City received proposals from the following firms: Aqua Metric, Badger Meter, Core & Main, Ferfuson Waterworks, Hyrdrpro Solutions and Master Meter, Mueller, and Zenner USA. Each written proposal was reviewed and scored by the City's evaluation committee and the top four firms were interviewed to further evaluate their qualifications and experience. Based on the City's adopted scoring criteria, Badger Meters proposal received the highest score.

Badger's proposed a "turnkey" approach that includes the AMI infrastructure and project installation. Badger's proposed scope includes the following items:

1. **Pre-construction and Integration**

Includes project kickoff, staging, known project materials ordered, and master audit.

2. BEACON Setup and Integration

Begin integration of BEACON software (SaaS client-side software and customer portal), review audit results, and place additional material orders

3. Full Deployment
Installation of meters and equipment and staff training.

4. Project Closeout
Inventory reconciliation and project closeout.

Information regarding the tentative project schedule is included as Attachment A and the proposed budget is included as Attachment A. The listed contract amount of $15,354,030 (Summarized in Attachment B) does not include taxes, staff has estimated taxes (7.25% on taxable items) and contingency costs of approximately $1,100,000 bringing the total amount to approximately $16.5 million. There are ongoing costs to service the water meter units as installed, those costs are called "ongoing maintenance costs" in the attachment and will be included as operating costs for the division as those are regular ongoing costs to operate the meter system.

The timeline proposed by Badger includes a kickoff this summer and the meter auditing process commencing in the Fall. Once the auditing process is completed, installation will begin in the Summer of 2025. The City expects the audit, hardware installation, and software deployment to take approximately 30-36 months, resulting in a project completion date by 2027.

The “Audit Process” mentioned above, includes an initial “pre-installation survey” phase during which the location of each meter will be inspected to confirm meter sizes, quantities, etc., and to identify any unusual site conditions that must be addressed when the water meters will be replaced. The pre-installation survey will develop useful data to inform subsequent phases of the project.

Staff will return to City Council following the audit and prior to installation to provide a construction phasing plan, information regarding the installation process, and details regarding customer expectations both during and following installation so that Hanford residents are kept informed during each phase of the project.

FISCAL IMPACT:

Approximately $16.5 million paid by the City's Water Fund of which $15.4 million has been planned for in the most recent rate adjustments approved in December 2023. The overage of $1.1 million will mean deferment of other capital needs to maintain a positive fund balance in future capital improvement plans to allow for the higher than anticipated cost. Final costs of the project after water meter audit and evaluation may lead to cost savings, or cost increases. If needed, staff will return to City Council for additional authorization. There is no impact to the General Fund.

ATTACHMENTS:
1. Attachment A - Hanford External SOV - Master 05-07-2024 Forecast
2. Attachment B Badger Meter Proposal _ 06-25-2024

CONTRACTOR'S PAY REQUEST

City of Hanford, CA
Customer PO: x

ITEM	BMI Description	QUANTITY PER CONTRACT	QUANTITY PER CHANGE ORDERS	UPDATED QUANTITY (After Change Orders)	TOTAL UNIT PRICE IN CONTRACT - EXCL TAX	ORIGINAL TOTAL EXT PRICE IN CONTRACT EXCL TAX	TOTAL EXT PRICE IN CONTRACT EXCL TAX - w/ Change Orders	Change Orders Dollar Impact
	Badger Product (Billed Upon Shipment)							
1	E-Series EP, 1"(10-3/4), Thk Wshr, Enc, 4CXN2 ORION, 9D-0.01	17,761	0	17,761	$ 200.00	$ 3,552,200.00	$ 3,552,200.00	$ -
2	E-Series SS, 1-1/2" EL(13), Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr	24	0	24	$ 585.36	$ 14,048.64	$ 14,048.64	$ -
3	E-Series SS, 2" EL(17), Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr 9D	856	0	856	$ 777.24	$ 665,317.44	$ 665,317.44	$ -
4	E-Series B-Alloy, 3" RND(17), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1	88	0	88	$ 2,170.72	$ 191,023.36	$ 191,023.36	$ -
5	E-Series B-Alloy, 4" RND(20), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1	106	0	106	$ 2,705.44	$ 286,776.64	$ 286,776.64	$ -
6	E-Series B-Alloy, 6"x24" RND Prsr, Enc, 4CXN2 ORION, 9D-1 Gal	22	0	22	$ 4,210.44	$ 92,629.68	$ 92,629.68	$ -
7	E-Series B-Alloy, 8"x20" RND, TP Prsr, Enc, 4CXN2 ORION, 9D-1	41	0	41	$ 4,958.12	$ 203,282.92	$ 203,282.92	$ -
8	EP Only, For Enc, ORION CELL HLD, Thru Ld Instl Kit, TT-8in	18,898	0	18,898	$ 132.00	$ 2,494,536.00	$ 2,494,536.00	$ -
9	IR COMMUMNICATION DEVICE KIT - LTE	14	0	14	$ 118.00	$ 1,652.00	$ 1,652.00	$ -
	Third Party Product (Billed Upon Shipment)							
10	Nicor B9C Rectangular Lid (9.875"x15.25"x1.625")	661	0	661	$ 39.45	$ 26,076.45	$ 26,076.45	$ -
11	Nicor B16 Rectangular Lid (10.5"x20.625"x2.0")	17,000	0	17,000	$ 57.39	$ 975,630.00	$ 975,630.00	$ -
12	Nicor B30 Rectangular Lid (13.75"23.125"x2.0")	50	0	50	$ 132.94	$ 6,647.00	$ 6,647.00	$ -
13	Nicor B36 Rectangular Lid (17.5"x30.5"x2.0")	50	0	50	$ 83.15	$ 4,157.50	$ 4,157.50	$ -
	Installation Labor - Audit (Survey) Phase							
14	Small Meter Audit (5/8" to 1")	17,761	0	17,761	$ 34.96	$ 620,924.56	$ 620,924.56	$ -
15	Intermediate Meter Audit (1.5" to 2")	880	0	880	$ 58.07	$ 51,101.60	$ 51,101.60	$ -
16	Large Meter Audit (3"-8")	257	0	257	$ 88.88	$ 22,842.16	$ 22,842.16	$ -
17	Line Material Survey (5/8" to 2" Only)	18,641	0	18,641	$ 36.14	$ 673,685.74	$ 673,685.74	$ -
18	GPS Coordinate Capture (Sub-Meter Accuracy)	18,898	0	18,898	$ 3.56	$ 67,276.88	$ 67,276.88	$ -
19	CUS Project Management - Audit Phase (Monthly)	4	0	4	$ 5,332.50	$ 21,330.00	$ 21,330.00	$ -
20	Mobilization - Audit Phase	1	0	1	$ 16,590.00	$ 16,590.00	$ 16,590.00	$ -
21	WOMS - Programming and Setup	1	0	1	$ 8,437.50	$ 8,437.50	$ 8,437.50	$ -
22	WOMS - Integration	1	0	1	$ 8,437.50	$ 8,437.50	$ 8,437.50	$ -
23	WOMS - Implementation and Data Capture (Audit Phase)	18,898	0	18,898	$ 1.36	$ 25,701.28	$ 25,701.28	$ -
24	Optional Adder: Audit Capture per Meter in Vault	0	0	0	$ 118.50	$ -	$ -	$ -
25	Optional Adder: Audit Capture per Meter in Backyard, Alleway, and Indoor	0	0	0	$ 17.78	$ -	$ -	$ -
	Installation Labor - Installation (Full Deployment) Phase							
26	Small (5/8"and 1") Meter Replacement	17,761	0	17,761	$ 155.31	$ 2,758,460.91	$ 2,758,460.91	$ -
27	1.5"-2" Meter Installation	880	0	880	$ 386.31	$ 339,952.80	$ 339,952.80	$ -
28	3" Meter Installation	88	0	88	$ 1,061.76	$ 93,434.88	$ 93,434.88	$ -
29	4" Meter Installation	106	0	106	$ 1,535.76	$ 162,790.56	$ 162,790.56	$ -
30	6" Meter Replacement	22	0	22	$ 3,852.44	$ 84,753.68	$ 84,753.68	$ -
31	8" Meter Replacement	41	0	41	$ 5,037.44	$ 206,535.04	$ 206,535.04	$ -
32	Meter Pit Lid Replacement - B9C and B16 (Up to 23"x 13.5"x 1.75") - Labor Only - Per Instance	17,661	0	17,661	$ 11.26	$ 198,862.86	$ 198,862.86	$ -
33	Meter Pit Lid Replacement - B30 and B36 (Up to 26.5" x15"x 1.75") - Labor Only - Per Instance	100	0	100	$ 15.11	$ 1,511.00	$ 1,511.00	$ -
34	Lid Drilling - Plastic	0	0	0	$ 11.50	$ -	$ -	$ -
35	Lid Drilling - Concrete	0	0	0	$ 57.50	$ -	$ -	$ -
36	Pre-Installation Postcard (1/Account)	18,898	0	18,898	$ 2.31	$ 43,654.38	$ 43,654.38	$ -
37	Post Install Door Hanger (3.5" x 8.5") (1/Account)	18,898	0	18,898	$ 1.13	$ 21,354.74	$ 21,354.74	$ -
38	CUS Project Management - Deployment Phase (Monthly)	24	0	24	$ 18,960.00	$ 455,040.00	$ 455,040.00	$ -
39	Mobilization - Deployment Phase (Monthly)	1	0	1	$ 40,527.00	$ 40,527.00	$ 40,527.00	$ -
40	Call Center (English) - Deployment Phase Only (Monthly)	24	0	24	$ 2,133.00	$ 51,192.00	$ 51,192.00	$ -
41	WOMS - Implementation and Data Capture (Installation)	18,898	0	18,898	$ 1.93	$ 36,473.14	$ 36,473.14	$ -
42	Optional Adder - Modify or Replace Domestic Vault Lids (Labor Only) - Per Hour	0	0	0	$ 177.75	$ -	$ -	$ -
43	Optional Adder - Modify or Replace Fire Vault Lids (Labor Only) - Per Hour	0	0	0	$ 177.75	$ -	$ -	$ -
44	Optional Adder - Replacement of Meter Box (Labor Only, Per Hour)	0	0	0	$ 177.75	$ -	$ -	$ -
	Other Services							
45	BEACON Engagement Fee (One Time Fee)	1	0	1	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ -
46	BEACON Integration	1	0	1	$ 8,453.00	$ 8,453.00	$ 8,453.00	$ -
47	Training (per Day)	6	0	6	$ 3,045.00	$ 18,270.00	$ 18,270.00	$ -
48	Optional Adder: BEACON Single-Sign On (SSO) Integration	0	0	0	$ 5,000.00	$ -	$ -	$ -
49	Optional Adder: Eye On Water (Utility Branded)	0	0	0	$ 5,000.00	$ -	$ -	$ -
50	Badger Meter Project Management	30	0	30	$ 26,215.32	$ 786,459.60	$ 786,459.60	$ -
	Service Units							
51	BEACON Managed Solution Service Unit Pricing - Year 1	102,049	0	102,049	$ 0.76	$ 77,557.24	$ 77,557.24	$ -
52	BEACON Managed Solution Service Unit Pricing - Year 2	226,776	0	226,776	$ 0.76	$ 172,349.76	$ 172,349.76	$ -
53	BEACON Managed Solution Service Unit Pricing - Year 3	226,776	0	226,776	$ 0.76	$ 172,349.76	$ 172,349.76	$ -
	Total				**Total Sell Price per Above**	**$ 15,776,287.20**	**$ 15,776,287.20**	$ -

Note: There is no tax included in the contract and SOV but tax will be charged on invoicing

ITEM	September 2024 Qty	September 2024 Dollars	October 2024 Qty	October 2024 Dollars	November 2024 Qty	November 2024 Dollars	December 2024 Qty	December 2024 Dollars
1		$ -		$ -	1,500	$ 300,000.00	1,500	$ 300,000.00
2		$ -		$ -		$ -		$ -
3		$ -		$ -		$ -		$ -
4		$ -		$ -		$ -		$ -
5		$ -		$ -		$ -		$ -
6		$ -		$ -		$ -		$ -
7		$ -		$ -		$ -		$ -
8		$ -		$ -	1,500	$ 198,000.00	1,500	$ 198,000.00
9		$ -		$ -		$ -	14	$ 1,652.00
10		$ -		$ -		$ -		$ -
11		$ -		$ -		$ -		$ -
12		$ -		$ -		$ -		$ -
13		$ -		$ -		$ -		$ -
14	4,440	$ 155,222.40	4,440	$ 155,222.40	4,440	$ 155,222.40	4,441	$ 155,257.36
15	220	$ 12,775.40	220	$ 12,775.40	220	$ 12,775.40	220	$ 12,775.40
16	65	$ 5,777.20	65	$ 5,777.20	65	$ 5,777.20	62	$ 5,510.56
17	4,725	$ 170,761.50	4,725	$ 170,761.50	4,725	$ 170,761.50	4,466	$ 161,401.24
18	4,725	$ 16,821.00	4,725	$ 16,821.00	4,725	$ 16,821.00	4,723	$ 16,813.88
19	1	$ 5,332.50	1	$ 5,332.50	1	$ 5,332.50	1	$ 5,332.50
20	1	$ 16,590.00		$ -		$ -		$ -
21	1	$ 8,437.50		$ -		$ -		$ -
22	1	$ 8,437.50		$ -		$ -		$ -
23	4,725	$ 6,426.00	4,725	$ 6,426.00	4,725	$ 6,426.00	4,723	$ 6,423.28
24		$ -		$ -		$ -		$ -
25		$ -		$ -		$ -		$ -
26		$ -		$ -		$ -		$ -
27		$ -		$ -		$ -		$ -
28		$ -		$ -		$ -		$ -
29		$ -		$ -		$ -		$ -
30		$ -		$ -		$ -		$ -
31		$ -		$ -		$ -		$ -
32	0	$ -	0	$ -	0	$ -	0	$ -
33	0	$ -	0	$ -	0	$ -	0	$ -
34		$ -		$ -		$ -		$ -
35		$ -		$ -		$ -		$ -
36	0	$ -	0	$ -	0	$ -	0	$ -
37	0	$ -	0	$ -	0	$ -	0	$ -
38		$ -		$ -		$ -		$ -
39		$ -		$ -		$ -	1	$ 40,527.00
40		$ -		$ -		$ -	1	$ 2,133.00
41	0	$ -	0	$ -	0	$ -	0	$ -
42		$ -		$ -		$ -		$ -
43		$ -		$ -		$ -		$ -
44		$ -		$ -		$ -		$ -
45		$ -		$ -	1	$ 16,000.00		$ -
46		$ -		$ -	1	$ 8,453.00		$ -
47		$ -		$ -	2	$ 6,090.00	2	$ 6,090.00
48		$ -		$ -		$ -		$ -
49		$ -		$ -		$ -		$ -
50	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32
51		$ -		$ -		$ -	0	$ -
52		$ -		$ -		$ -		$ -
53		$ -		$ -		$ -		$ -
Total	**18,905**	**$ 432,796.32**	**18,902**	**$ 399,331.32**	**21,906**	**$ 927,874.32**	**21,655**	**$ 938,131.54**

ITEM	January 2025 Qty	January 2025 Dollars	February 2025 Qty	February 2025 Dollars	March 2025 Qty	March 2025 Dollars	April 2025 Qty	April 2025 Dollars
1	1,231	$ 246,200.00	1,230	$ 246,000.00	1,230	$ 246,000.00	1,230	$ 246,000.00
2	24	$ 14,048.64		$ -		$ -		$ -
3	214	$ 166,329.36	214	$ 166,329.36	214	$ 166,329.36	214	$ 166,329.36
4		$ -		$ -	22	$ 47,755.84	22	$ 47,755.84
5		$ -		$ -	27	$ 73,046.88	27	$ 73,046.88
6		$ -		$ -	11	$ 46,314.84		$ -
7		$ -		$ -	11	$ 54,539.32	10	$ 49,581.20
8	1,469	$ 193,908.00	1,444	$ 190,608.00	1,515	$ 199,980.00	1,503	$ 198,396.00
9		$ -		$ -		$ -		$ -
10	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50
11	650	$ 37,303.50	748	$ 42,927.72	850	$ 48,781.50	1,050	$ 60,259.50
12		$ -		$ -		$ -		$ -
13		$ -		$ -		$ -		$ -
14		$ -		$ -		$ -		$ -
15		$ -		$ -		$ -		$ -
16		$ -		$ -		$ -		$ -
17		$ -		$ -		$ -		$ -
18		$ -		$ -		$ -		$ -
19		$ -		$ -		$ -		$ -
20		$ -		$ -		$ -		$ -
21		$ -		$ -		$ -		$ -
22		$ -		$ -		$ -		$ -
23		$ -		$ -		$ -		$ -
24		$ -		$ -		$ -		$ -
25		$ -		$ -		$ -		$ -
26	700	$ 108,717.00	798	$ 123,937.38	776	$ 120,520.56	1,000	$ 155,310.00
27		$ -		$ -	124	$ 47,902.44	100	$ 38,631.00
28		$ -		$ -		$ -		$ -
29		$ -		$ -		$ -		$ -
30		$ -		$ -		$ -		$ -
31		$ -		$ -		$ -		$ -
32	700	$ 7,882.00	798	$ 8,985.48	900	$ 10,134.00	1,100	$ 12,386.00
33	0	$ -	0	$ -	0	$ -	0	$ -
34		$ -		$ -		$ -		$ -
35		$ -		$ -		$ -		$ -
36	700	$ 1,617.00	798	$ 1,843.38	900	$ 2,079.00	1,100	$ 2,541.00
37	700	$ 791.00	798	$ 901.74	900	$ 1,017.00	1,100	$ 1,243.00
38	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00
39		$ -		$ -		$ -		$ -
40	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00
41	700	$ 1,351.00	798	$ 1,540.14	900	$ 1,737.00	1,100	$ 2,123.00
42		$ -		$ -		$ -		$ -
43		$ -		$ -		$ -		$ -
44		$ -		$ -		$ -		$ -
45		$ -		$ -		$ -		$ -
46		$ -		$ -		$ -		$ -
47	2	$ 6,090.00		$ -		$ -		$ -
48		$ -		$ -		$ -		$ -
49		$ -		$ -		$ -		$ -
50	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32
51	700	$ 532.00	1,498	$ 1,138.48	2,398	$ 1,822.48	3,498	$ 2,658.48
52		$ -		$ -		$ -		$ -
53		$ -		$ -		$ -		$ -
Total	**7,843**	**$ 834,050.32**	**9,177**	**$ 833,492.50**	**10,831**	**$ 1,117,241.04**	**13,107**	**$ 1,105,542.08**

ITEM	May 2025 Qty	May 2025 Dollars	June 2025 Qty	June 2025 Dollars	July 2025 Qty	July 2025 Dollars	August 2025 Qty	August 2025 Dollars
1	1,230	$ 246,000.00	1,230	$ 246,000.00	1,230	$ 246,000.00	1,230	$ 246,000.00
2		$ -		$ -		$ -		$ -
3		$ -		$ -		$ -		$ -
4	22	$ 47,755.84	22	$ 47,755.84		$ -		$ -
5	26	$ 70,341.44	26	$ 70,341.44		$ -		$ -
6	11	$ 46,314.84		$ -		$ -		$ -
7	10	$ 49,581.20	10	$ 49,581.20		$ -		$ -
8	1,299	$ 171,468.00	1,288	$ 170,016.00	1,230	$ 162,360.00	1,230	$ 162,360.00
9		$ -		$ -		$ -		$ -
10	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50
11	1,040	$ 59,685.60	1,040	$ 59,685.60	1,040	$ 59,685.60	1,040	$ 59,685.60
12		$ -	5	$ 664.70	5	$ 664.70	5	$ 664.70
13		$ -	5	$ 415.75	5	$ 415.75	5	$ 415.75
14		$ -		$ -		$ -		$ -
15		$ -		$ -		$ -		$ -
16		$ -		$ -		$ -		$ -
17		$ -		$ -		$ -		$ -
18		$ -		$ -		$ -		$ -
19		$ -		$ -		$ -		$ -
20		$ -		$ -		$ -		$ -
21		$ -		$ -		$ -		$ -
22		$ -		$ -		$ -		$ -
23		$ -		$ -		$ -		$ -
24		$ -		$ -		$ -		$ -
25		$ -		$ -		$ -		$ -
26	974	$ 151,271.94	974	$ 151,271.94	960	$ 149,097.60	960	$ 149,097.60
27	100	$ 38,631.00	100	$ 38,631.00	114	$ 44,039.34	114	$ 44,039.34
28	10	$ 10,617.60	10	$ 10,617.60	10	$ 10,617.60	10	$ 10,617.60
29	10	$ 15,357.60	10	$ 15,357.60	10	$ 15,357.60	10	$ 15,357.60
30	2	$ 7,704.88	2	$ 7,704.88	2	$ 7,704.88	2	$ 7,704.88
31	4	$ 20,149.76	4	$ 20,149.76	4	$ 20,149.76	4	$ 20,149.76
32	1,090	$ 12,273.40	1,090	$ 12,273.40	1,090	$ 12,273.40	1,090	$ 12,273.40
33	0	$ -	10	$ 151.10	10	$ 151.10	10	$ 151.10
34		$ -		$ -		$ -		$ -
35		$ -		$ -		$ -		$ -
36	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00
37	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00
38	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00
39		$ -		$ -		$ -		$ -
40	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00
41	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00
42		$ -		$ -		$ -		$ -
43		$ -		$ -		$ -		$ -
44		$ -		$ -		$ -		$ -
45		$ -		$ -		$ -		$ -
46		$ -		$ -		$ -		$ -
47		$ -		$ -		$ -		$ -
48		$ -		$ -		$ -		$ -
49		$ -		$ -		$ -		$ -
50	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32
51	4,598	$ 3,494.48	5,698	$ 4,330.48	6,798	$ 5,166.48	7,898	$ 6,002.48
52		$ -		$ -		$ -		$ -
53		$ -		$ -		$ -		$ -
Total	**13,779**	**$ 1,005,835.40**	**14,877**	**$ 960,136.11**	**15,861**	**$ 788,871.63**	**16,961**	**$ 789,707.63**

ITEM	September 2025 Qty	September 2025 Dollars	October 2025 Qty	October 2025 Dollars	November 2025 Qty	November 2025 Dollars	December 2025 Qty	December 2025 Dollars
1	1,230	$ 246,000.00	1,230	$ 246,000.00	1,230	$ 246,000.00	1,230	$ 246,000.00
2		$ -		$ -		$ -		$ -
3		$ -		$ -		$ -		$ -
4		$ -		$ -		$ -		$ -
5		$ -		$ -		$ -		$ -
6		$ -		$ -		$ -		$ -
7		$ -		$ -		$ -		$ -
8	1,230	$ 162,360.00	1,230	$ 162,360.00	1,230	$ 162,360.00	1,230	$ 162,360.00
9		$ -		$ -		$ -		$ -
10	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50	50	$ 1,972.50
11	1,040	$ 59,685.60	1,040	$ 59,685.60	1,040	$ 59,685.60	1,040	$ 59,685.60
12	5	$ 664.70	5	$ 664.70	5	$ 664.70	5	$ 664.70
13	5	$ 415.75	5	$ 415.75	5	$ 415.75	5	$ 415.75
14		$ -		$ -		$ -		$ -
15		$ -		$ -		$ -		$ -
16		$ -		$ -		$ -		$ -
17		$ -		$ -		$ -		$ -
18		$ -		$ -		$ -		$ -
19		$ -		$ -		$ -		$ -
20		$ -		$ -		$ -		$ -
21		$ -		$ -		$ -		$ -
22		$ -		$ -		$ -		$ -
23		$ -		$ -		$ -		$ -
24		$ -		$ -		$ -		$ -
25		$ -		$ -		$ -		$ -
26	960	$ 149,097.60	960	$ 149,097.60	1,074	$ 166,802.94	1,074	$ 166,802.94
27	114	$ 44,039.34	114	$ 44,039.34		$ -		$ -
28	10	$ 10,617.60	10	$ 10,617.60	10	$ 10,617.60	10	$ 10,617.60
29	10	$ 15,357.60	10	$ 15,357.60	10	$ 15,357.60	10	$ 15,357.60
30	2	$ 7,704.88	2	$ 7,704.88	2	$ 7,704.88	2	$ 7,704.88
31	4	$ 20,149.76	4	$ 20,149.76	4	$ 20,149.76	4	$ 20,149.76
32	1,090	$ 12,273.40	1,090	$ 12,273.40	1,090	$ 12,273.40	1,090	$ 12,273.40
33	10	$ 151.10	10	$ 151.10	10	$ 151.10	10	$ 151.10
34		$ -		$ -		$ -		$ -
35		$ -		$ -		$ -		$ -
36	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00
37	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00
38	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00
39		$ -		$ -		$ -		$ -
40	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00
41	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00
42		$ -		$ -		$ -		$ -
43		$ -		$ -		$ -		$ -
44		$ -		$ -		$ -		$ -
45		$ -		$ -		$ -		$ -
46		$ -		$ -		$ -		$ -
47		$ -		$ -		$ -		$ -
48		$ -		$ -		$ -		$ -
49		$ -		$ -		$ -		$ -
50	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32
51		$ -		$ -		$ -		$ -
52	8,998	$ 6,838.48	10,098	$ 7,674.48	11,198	$ 8,510.48	12,298	$ 9,346.48
53		$ -		$ -		$ -		$ -
Total	**18,061**	**$ 790,543.63**	**19,161**	**$ 791,379.63**	**20,261**	**$ 765,881.63**	**21,361**	**$ 766,717.63**

ITEM	January 2026 Qty	January 2026 Dollars	February 2026 Qty	February 2026 Dollars	March 2026 Qty	March 2026 Dollars	April 2026 Qty	April 2026 Dollars
1		$ -		$ -		$ -		$ -
2		$ -		$ -		$ -		$ -
3		$ -		$ -		$ -		$ -
4		$ -		$ -		$ -		$ -
5		$ -		$ -		$ -		$ -
6		$ -		$ -		$ -		$ -
7		$ -		$ -		$ -		$ -
8		$ -		$ -		$ -		$ -
9		$ -		$ -		$ -		$ -
10	50	$ 1,972.50	11	$ 433.95		$ -		$ -
11	1,040	$ 59,685.60	1,079	$ 61,923.81	1,100	$ 63,129.00	1,100	$ 63,129.00
12	5	$ 664.70	5	$ 664.70	5	$ 664.70		$ -
13	5	$ 415.75	5	$ 415.75	5	$ 415.75		$ -
14		$ -		$ -		$ -		$ -
15		$ -		$ -		$ -		$ -
16		$ -		$ -		$ -		$ -
17		$ -		$ -		$ -		$ -
18		$ -		$ -		$ -		$ -
19		$ -		$ -		$ -		$ -
20		$ -		$ -		$ -		$ -
21		$ -		$ -		$ -		$ -
22		$ -		$ -		$ -		$ -
23		$ -		$ -		$ -		$ -
24		$ -		$ -		$ -		$ -
25		$ -		$ -		$ -		$ -
26	1,076	$ 167,113.56	1,084	$ 168,356.04	1,091	$ 169,443.21	1,100	$ 170,841.00
27		$ -		$ -		$ -		$ -
28	8	$ 8,494.08		$ -		$ -		$ -
29	10	$ 15,357.60	10	$ 15,357.60	6	$ 9,214.56		$ -
30	2	$ 7,704.88	2	$ 7,704.88	2	$ 7,704.88		$ -
31	4	$ 20,149.76	4	$ 20,149.76	1	$ 5,037.44		$ -
32	1,090	$ 12,273.40	1,090	$ 12,273.40	1,100	$ 12,386.00	1,100	$ 12,386.00
33	10	$ 151.10	10	$ 151.10	10	$ 151.10	0	$ -
34		$ -		$ -		$ -		$ -
35		$ -		$ -		$ -		$ -
36	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00	1,100	$ 2,541.00
37	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00	1,100	$ 1,243.00
38	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00	1	$ 18,960.00
39		$ -		$ -		$ -		$ -
40	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00	1	$ 2,133.00
41	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00	1,100	$ 2,123.00
42		$ -		$ -		$ -		$ -
43		$ -		$ -		$ -		$ -
44		$ -		$ -		$ -		$ -
45		$ -		$ -		$ -		$ -
46		$ -		$ -		$ -		$ -
47		$ -		$ -		$ -		$ -
48		$ -		$ -		$ -		$ -
49		$ -		$ -		$ -		$ -
50	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32	1	$ 26,215.32
51		$ -		$ -		$ -		$ -
52	13,398	$ 10,182.48	14,498	$ 11,018.48	15,598	$ 11,854.48	16,698	$ 12,690.48
53		$ -		$ -		$ -		$ -
Total	**20,001**	**$ 357,380.73**	**21,101**	**$ 351,664.79**	**22,221**	**$ 333,216.44**	**23,301**	**$ 312,261.80**

ITEM	May 2026 Qty	May 2026 Dollars	June 2026 Qty	June 2026 Dollars	QTY TO DATE	% COMPLETED	UNITS REMAINING	TOTAL PROJECT TO DATE ($)	TOTAL PROJECT REMAINING ($)
1		$ -		$ -	17,761	100.00%	0	$ 3,552,200.00	$ -
2		$ -		$ -	24	100.00%	0	$ 14,048.64	$ -
3		$ -		$ -	856	100.00%	0	$ 665,317.44	$ -
4		$ -		$ -	88	100.00%	0	$ 191,023.36	$ -
5		$ -		$ -	106	100.00%	0	$ 286,776.64	$ -
6		$ -		$ -	22	100.00%	0	$ 92,629.68	$ -
7		$ -		$ -	41	100.00%	0	$ 203,282.92	$ -
8		$ -		$ -	18,898	100.00%	0	$ 2,494,536.00	$ -
9		$ -		$ -	14	100.00%	0	$ 1,652.00	$ -
10		$ -		$ -	661	100.00%	0	$ 26,076.45	$ -
11	1,100	$ 63,129.00	1,100	$ 63,129.00	18,137	106.69%	-1,137	$ 1,040,882.43	$ (65,252.43)
12		$ -		$ -	50	100.00%	0	$ 6,647.00	$ -
13		$ -		$ -	50	100.00%	0	$ 4,157.50	$ -
14		$ -		$ -	17,761	100.00%	0	$ 620,924.56	$ -
15		$ -		$ -	880	100.00%	0	$ 51,101.60	$ -
16		$ -		$ -	257	100.00%	0	$ 22,842.16	$ -
17		$ -		$ -	18,641	100.00%	0	$ 673,685.74	$ -
18		$ -		$ -	18,898	100.00%	0	$ 67,276.88	$ -
19		$ -		$ -	4	100.00%	0	$ 21,330.00	$ -
20		$ -		$ -	1	100.00%	0	$ 16,590.00	$ -
21		$ -		$ -	1	100.00%	0	$ 8,437.50	$ -
22		$ -		$ -	1	100.00%	0	$ 8,437.50	$ -
23		$ -		$ -	18,898	100.00%	0	$ 25,701.28	$ -
24		$ -		$ -	0	100.00%	0	$ -	$ -
25		$ -		$ -	0	100.00%	0	$ -	$ -
26	1,100	$ 170,841.00	1,100	$ 170,841.00	17,761	100.00%	0	$ 2,758,460.91	$ -
27		$ -		$ -	880	100.00%	0	$ 339,952.80	$ -
28		$ -		$ -	88	100.00%	0	$ 93,434.88	$ -
29		$ -		$ -	106	100.00%	0	$ 162,790.56	$ -
30		$ -		$ -	22	100.00%	0	$ 84,753.68	$ -
31		$ -		$ -	41	100.00%	0	$ 206,535.04	$ -
32	1,100	$ 12,386.00	1,100	$ 12,386.00	18,798	106.44%	-1,137	$ 211,665.48	$ (12,802.62)
33	0	$ -	0	$ -	100	100.00%	0	$ 1,511.00	$ -
34		$ -		$ -		100.00%	0	$ -	$ -
35		$ -		$ -		100.00%	0	$ -	$ -
36	1,100	$ 2,541.00	1,100	$ 2,541.00	18,898	100.00%	0	$ 43,654.38	$ -
37	1,100	$ 1,243.00	1,100	$ 1,243.00	18,898	100.00%	0	$ 21,354.74	$ -
38	1	$ 18,960.00	1	$ 18,960.00	18	75.00%	6	$ 341,280.00	$ 113,760.00
39		$ -		$ -	1	100.00%	0	$ 40,527.00	$ -
40	1	$ 2,133.00	1	$ 2,133.00	19	79.17%	5	$ 40,527.00	$ 10,665.00
41	1,100	$ 2,123.00	1,100	$ 2,123.00	18,898	100.00%	0	$ 36,473.14	$ -
42		$ -		$ -	0	100.00%	0	$ -	$ -
43		$ -		$ -	0	100.00%	0	$ -	$ -
44		$ -		$ -	0	100.00%	0	$ -	$ -
45		$ -		$ -	1	100.00%	0	$ 16,000.00	$ -
46		$ -		$ -	1	100.00%	0	$ 8,453.00	$ -
47		$ -		$ -	6	100.00%	0	$ 18,270.00	$ -
48		$ -		$ -	0	100.00%	0	$ -	$ -
49		$ -		$ -	0	100.00%	0	$ -	$ -
50	1	$ 26,215.32	1	$ 26,215.32	22	73.33%	8	$ 576,737.04	$ 209,722.56
51		$ -		$ -	33,086	32.42%	68,963	$ 25,145.36	$ 52,411.88
52	17,798	$ 13,526.48	18,898	$ 14,362.48	139,480	61.51%	87,296	$ 106,004.80	$ 66,344.96
53		$ -		$ -	0	0.00%	226,776	$ -	$ 172,349.76
Total	**24,401**	**$ 313,097.80**	**25,501**	**$ 313,933.80**					
							Total - Original Contracted (excl Service Units)	**$ 15,097,937.93**	**$ 256,092.51**
							Total Contract w/ Service Units Billed	**$ 15,229,088.09**	**$ 547,199.11**

Total Sell Price per Contract - Original	**$ 15,776,287.20**
-	*variance*

Forecast Summary

	September 2024	October 2024	November 2024	December 2024	January 2025	February 2025	March 2025	April 2025	May 2025	June 2025	July 2025
Badger Product	$ -	$ -	$ 498,000	$ 499,652	$ 620,486	$ 602,937	$ 833,966	$ 781,109	$ 631,461	$ 583,694	$ 408,360
Lids Product	$ -	$ -	$ -	$ -	$ 39,276	$ 44,900	$ 50,754	$ 62,232	$ 61,658	$ 62,739	$ 62,739
Installation (Audit Phase)	$ 406,581	$ 373,116	$ 373,116	$ 363,514	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Installation (Deployment Phase)	$ -	$ -	$ -	$ 42,660	$ 141,451	$ 158,301	$ 204,483	$ 233,327	$ 283,006	$ 283,157	$ 286,391
Other Services	$ 26,215	$ 26,215	$ 56,758	$ 32,305	$ 32,305	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215
Service Units	$ -	$ -	$ -	$ -	$ 532	$ 1,138	$ 1,822	$ 2,658	$ 3,494	$ 4,330	$ 5,166
Total	**$ 432,796**	**$ 399,331**	**$ 927,874**	**$ 938,132**	**$ 834,050**	**$ 833,493**	**$ 1,117,241**	**$ 1,105,542**	**$ 1,005,835**	**$ 960,136**	**$ 788,872**
	-	-	-	-	-	-	-	-	-	-	-

	August 2025	September 2025	October 2025	November 2025	December 2025	January 2026	February 2026	March 2026	April 2026	May 2026	June 2026	Total
Badger Product	$ 408,360	$ 408,360	$ 408,360	$ 408,360	$ 408,360	$ -	$ -	$ -	$ -	$ -	$ -	**$ 7,501,467**
Lids Product	$ 62,739	$ 62,739	$ 62,739	$ 62,739	$ 62,739	$ 62,739	$ 63,438	$ 64,209	$ 63,129	$ 63,129	$ 63,129	**$ 1,077,763**
Installation (Audit Phase)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ 1,516,327**
Installation (Deployment Phase)	$ 286,391	$ 286,391	$ 286,391	$ 260,057	$ 260,057	$ 258,244	$ 250,993	$ 230,937	$ 210,227	$ 210,227	$ 210,227	**$ 4,382,921**
Other Services	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	$ 26,215	**$ 619,460**
Service Units	$ 6,002	$ 6,838	$ 7,674	$ 8,510	$ 9,346	$ 10,182	$ 11,018	$ 11,854	$ 12,690	$ 13,526	$ 14,362	**$ 131,150**
Total	**$ 789,708**	**$ 790,544**	**$ 791,380**	**$ 765,882**	**$ 766,718**	**$ 357,381**	**$ 351,665**	**$ 333,216**	**$ 312,262**	**$ 313,098**	**$ 313,934**	**$ 15,229,088**
	-	-	-	-	-	-	-	-	-	-	-	

COST PROPOSAL

SUMMARY

Initial Product and Labor Expenses - Breakdown on Tabs below

Quantity	Description		Extended Amount
1	Badger Meter Products Total		$ 7,501,466.68
1	Badger Meter Software Total		$ 42,723.00
1	Installation (If requested)		$ 7,023,381.16
1	Badger Meter Project Management		$ 786,459.60
	Initial Product, Software and Labor Expenses Total		**$ 15,354,030.44**
		Year 1 Total:	**$ 15,431,587.68**

Ongoing Maintenance Fees

Quantity	Description	Amount	Extended Amount
102,049	BEACON Managed Solution Service Unit Pricing - Year 1	$ 0.76	$ 77,557.24
226,776	BEACON Managed Solution Service Unit Pricing - Year 2	$ 0.76	$ 172,349.76
226,776	BEACON Managed Solution Service Unit Pricing - Year 3	$ 0.76	$ 172,349.76
		3 Years of Service Units	**$ 422,256.76**

Clarifications:

Total Ongoing O&M costs (Service Units) will be determined by the number of installed endpoints at the time of billing. Monthly Service Unit Fee includes the following: ORION® Network as a Service, BEACON® Software as a Service, BEACON® Utility Software, EyeOnWater® Consumer Portal, EyeOnWater® Smartphone App, 24/7 Technical Support, Local Field Support and Cellular Communication. Badger Meter reserves the right to increase Service Unit pricing limited to 1% annually beginning in Year 4 through 10. Years 11-20 are subject to standard pricing.

Any fees for professional services that are identified as a "Monthly" fee are based on the estimated schedule. Monthly fees will be levied over the length of the project. If the project is completed ahead of schedule or extends past the anticipated duration, the fees will be charged accordingly.

After the initial one-year term, Badger Meter reserves the right to increase pricing for our products at the time of renewal.

If applicable, sales tax and freight will be calculated based on rates and tax status in effect at the time of invoicing.

*See installation tab and submitted SOW, section 1.7 for a listing of relevant project assumptions

Base Offering

	QTY	PRODUCT DESCRIPTION	UNIT PRICE	EXTENDED AMOUNT	Notes
1	17,761	E-Series B-Alloy, 1"(10-3/4), Thk Wshr, Enc, 4CXN2 ORION, 9D-0.01 Gal, TS-766, SN Yr 9D & PBB, TT-5', BMI STD,	$ 200.00	$ 3,552,200.00	Cable shield available = add $7.00/ea
2	24	E-Series SS, 1-1/2" EL(13), Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 585.36	$ 14,048.64	Cable shield available = add $7.00/ea
3	856	E-Series SS, 2" EL(17), Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 777.24	$ 665,317.44	Cable shield available = add $7.00/ea
4	88	E-Series B-Alloy, 3" RND(17), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr 9D & PBB, TT-5', BMI STD	$ 2,170.72	$ 191,023.36	Cable shield available = add $7.00/ea
5	106	E-Series B-Alloy, 4" RND(20), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 2,705.44	$ 286,776.64	Cable shield available = add $7.00/ea
6	22	E-Series B-Alloy, 6"x24" RND Prsr, Enc, 4CXN2 ORION, 9D-1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 4,210.44	$ 92,629.68	Cable shield available = add $7.00/ea
7	41	E-Series B-Alloy, 8"x20" RND, TP Prsr, Enc, 4CXN2 ORION, 9D-1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 4,958.12	$ 203,282.92	Cable shield available = add $7.00/ea
8	18,898	EP Only, For Enc, ORION CELL HLD, Thru Ld Instl Kit, TT-8in, Grnd/ Ocean-Pause, BMI STD, 24 PACK	$ 132.00	$ 2,494,536.00	Cable shield available = add $2.50/ea
9	14	IR COMMUMNICATION DEVICE KIT - LTE	$ 118.00	$ 1,652.00	
			Product Total	**$ 7,501,466.68**	

Optional Products

QTY	PRODUCT DESCRIPTION	UNIT PRICE	EXTENDED AMOUNT	Notes
1	E-Series Plus Brz, 3/4" (7-1/2), Thk Wshr, Enc, 4CXN2 ORION, 9D-0.01 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 466.00	$ 466.00	Optional. Alternate to requested 1" ASV
1	E-Series EP, 1"(10-3/4), Thk Wshr, Enc, 4CXN2 ORION, 9D-0.01 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 183.00	$ 183.00	Alternate to number 1 (Polymer)
1	E-Series B-ALLOY, 1"(10-3/4), THK WSHR, PRSR, ENC EB-ECA-PXTP-E5-CA-19AE-K3Y2-XXTF-XX-B0A	$ 282.95	$ 282.95	Alternate to number 1 (Pressure)
1	E-Series B-Alloy, 3" RND(12), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1 Gal,	$ 2,136.72	$ 2,136.72	Alternate to number 4 (Lay Length 12")
1	E-Series B-Alloy, 4" RND(14), TP Prsr, Enc, 4CXN2 ORION, 9D-0.1 Gal,	$ 2,671.44	$ 2,671.44	Alternate to number 5 (Lay Length 14")
1	E-Series B-Alloy, 6"x18" RND Prsr, Enc, 4CXN2 ORION, 9D-1 Gal, SN Yr 9D & PBB, TT-5', BMI STD,	$ 3,989.44	$ 3,989.44	Alternate to number 6 (Lay Length 18")
1	Cable Shield - 8 in. for ORION endpoints	$ 2.50	$ 2.50	Adder for cable shield
1	Cable Shield - 5 ft. for meters	$ 7.00	$ 7.00	Adder for cable shield
		Product Total	**$ 9,739.05**	

Base Software Offering				
QTY	PRODUCT DESCRIPTION	UNIT PRICE	EXTENDED AMOUNT	Notes
1	BEACON Engagement Fee (One Time Fee)	$ 16,000.00	$ 16,000.00	
1	BEACON Integration	$ 8,453.00	$ 8,453.00	
6	Training Per Day	$ 3,045.00	$ 18,270.00	Additional Sessions Charged at Unit Rate
		Badger Meter AMI FAN (BEACON)	$ 42,723.00	

Optional Products				
QTY	PRODUCT DESCRIPTION	UNIT PRICE	EXTENDED AMOUNT	Notes
1	BEACON Single Sign On (SSO) Integration	$ 5,000.00	$ 5,000.00	
1	EyeOnWater (Utility Branded)	$ 5,000.00	$ 5,000.00	
		Product Total	$ 10,000.00	

Base Installation Work

Phase 1 - Meter Audit

Quantity	Description	Price	Extended Price
17,761	Small Meter Audit (5/8" to 1")	$ 34.96	$ 620,924.56
880	Intermediate Meter Audit (1.5" to 2")	$ 58.07	$ 51,101.60
257	Large Meter Audit (3"-8")	$ 88.88	$ 22,842.16
18,641	Line Material Survey (5/8" to 2" Only)	$ 36.14	$ 673,685.74
18,898	GPS Coordinate Capture (Sub-Meter Accuracy)	$ 3.56	$ 67,276.88
4	Installation Management - Audit Phase (Monthly)	$ 5,332.50	$ 21,330.00
1	Mobilization - Audit Phase	$ 16,590.00	$ 16,590.00
1	WOMS - Programming and Setup	$ 8,437.50	$ 8,437.50
1	WOMS - Integration	$ 8,437.50	$ 8,437.50
18,898	WOMS - Implementation and Data Capture (Audit)	$ 1.36	$ 25,701.28
		Subtotal	**$ 1,516,327.22**

Phase 2 - Full Deployment*

Quantity	Description	Price	Extended Price
17,761	Small (5/8"and 1") Meter Replacement	$ 155.31	$ 2,758,460.91
880	1.5"-2" Meter Installation	$ 386.31	$ 339,952.80
88	3" Meter Installation	$ 1,061.76	$ 93,434.88
106	4" Meter Installation	$ 1,535.76	$ 162,790.56
22	6" Meter Replacement	$ 3,852.44	$ 84,753.68
41	8" Meter Replacement	$ 5,037.44	$ 206,535.04
17,661	Meter Pit Lid Replacement (Up to 23"x 13.5"x 1.75") - Labor Only - Per Instance	$ 11.26	$ 198,862.86
100	Meter Pit Lid Replacement (Up to 26.5" x15"x 1.75") - Labor Only - Per Instance	$ 15.11	$ 1,511.00
17,000	Nicor B16 Rectangular Lid (10.5"x20.625"x2.0")	$ 57.39	$ 975,630.00
50	Nicor B36 Rectangular Lid (17.5"x30.5"x2.0")	$ 132.94	$ 6,647.00
50	Nicor B30 Rectangular Lid (13.75"23.125"x2.0")	$ 83.15	$ 4,157.50
661	Nicor B9C Rectangular Lid (9.875"x"15.25"x1.625")	$ 39.45	$ 26,076.45

18,898	Pre-Installation Postcard (1/Account)	$ 2.31	$ 43,654.38
18,898	Post Install Door Hanger (3.5" x 8.5") (1/Account)	$ 1.13	$ 21,354.74
24	CUS Project Management - Deployment Phase (Monthly)	$ 18,960.00	$ 455,040.00
1	Mobilization - Deployment Phase (Monthly)	$ 40,527.00	$ 40,527.00
24	Call Center (English) - Deployment Phase Only (Monthly)	$2,133.00	$ 51,192.00
18,898	WOMS - Implementation and Data Capture (Installation)	$1.93	$ 36,473.14
		Subtotal	**$ 5,507,053.94**

Installation Totals	**$ 7,023,381.16**

Optional/Additional Installation Work

Phase 1A - Optional or Additional Work for Meter Audit

Quantity	Description	Price	Extended Price
1	Adder: Audit Capture per Meter in Vault	$ 118.50	$ 118.50
1	Adder: Audit Capture per Meter in Backyard, Alleway, and Indoor	$ 17.78	$ 17.78
		Subtotal	**$ 136.28**

Phase 2A - Optional or Additional Work for Full Deployment

Quantity	Description	Price	Extended Price
1	Modify or Replace Domestic Vault Lids (Labor Only) - Per Hour	$ 177.75	$ 177.75
1	Modify or Replace Fire Vault Lids (Labor Only) - Per Hour	$ 177.75	$ 177.75
1	Replacement of Meter Box (Labor Only, Per Hour)	$ 177.75	$ 177.75
		Subtotal	**$ 533.25**

Optioal Installation Totals	**$ 669.53**

Installation Partner Assumptions and Exclusions

*All 'Phase 2" pricing is budgetary until the results of the "Phase 1 Audit are complete" this permits providing the most accurate and complete solution to the City of Hanford.

Installation and Audit pricing is valid for one year from the date of the quotation. If kickoff of the project commences post-year 1, pricing will increase annually.

Installation Services are warrantied against leaks for a period of 1 year from the work order completion date, as recorded through the work order management system and completed work order installation data. The warranty applies only to the area of work performed by the Contractor, as documented by data and photos within the work order management system, and reasonably attributed to the installation process.

Any permit fees are excluded and will be assessed on a case-by-case basis

All labor pricing includes prevailing wage rates.

Demobilization/Remobilization/Stand Down Contingency: The project mobilization and demobilization is assumed for a single-phase move on and move off for installation and deployment. If demobilization and remobilization occur during the project due to reasons beyond Badger Meter's control (e.g., lack of materials and inventory, lack of data or account information), additional contingency fees will be assessed.

It is assumed that a secure staging/warehousing facility will be provided by the Owner for the use of the Contractor for the duration of the project. Such a facility to be of appropriate size, type, and security for the work contemplated.

Hazardous material disposal is not included

Meter installation pricing includes all labor, tools, washers, vehicles, and fuel. All plumbing appurtences that may be required (such as spuds, couplings, compression fittings, backflow prevention devices, etc.) are not in scope

Any box replacement pricing provided excludes work in concrete or hardscape areas.

*See submitted SOW, section 1.7 for a listing of additional relevant project assumptions

Base Project Management Offering				
Quantity	Description	Price	Extended Price	Notes
30	Badger Meter Project Management	$ 26,215.32	$ 786,459.60	Project Management Fee includes: Contract Review, Project Planning, Kickoff and Preconstruction meetings, All required travel, Project Execution and Control, weekly status meetings and issue resolution, Project Administration, Data Analyst and Project Closeout tasks totaling # months of full deployment.
1	Bonding		$ -	Bonding Can Be Provided Upon Award if Required
		PM and Bonding Total	**$ 786,459.60**	

Base Ongoing/Maintenance Offering			
QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
102,049	BEACON Managed Solution Service Unit Pricing - Year 1	$ 0.76	$ 77,557.24
226,776	BEACON Managed Solution Service Unit Pricing - Year 2	$ 0.76	$ 172,349.76
226,776	BEACON Managed Solution Service Unit Pricing - Year 3	$ 0.76	$ 172,349.76
		3 Years of Service Units	**$ 422,256.76**

Clarifications:

Total Ongoing O&M costs (Service Units) will be determined by the number of installed endpoints at the time of billing. Monthly Service Unit Fee includes the following: ORION® Network as a Service, BEACON® Software as a Service, BEACON® Utility Software, EyeOnWater® Consumer Portal, EyeOnWater® Smartphone App, 24/7 Technical Support, Local Field Support and Cellular Communication. Badger Meter reserves the right to increase Service Unit pricing limited to 1% annually beginning in Year 4 through 10. Years 11-20 are subject to standard pricing.

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** GENERAL BUSINESS

SUBJECT:
Authorization to Execute an Agreement with Perkins & Will, for an Amount Not to Exceed $649,528, for the Kings-Tulare HSR Station TOD & Connectivity Plan & CVC Rail Service Planning, Funded via a Sustainable Communities Grant, which Council previously approved the application and acceptance of.

RECOMMENDATION:

Recommended Motion: That the City Council, by motion, Authorize the City to Enter into an Agreement with Perkins & Will for an Amount Not to Exceed $649,528 for the Kings-Tulare HSR Station TOD & Connectivity Plan & CVC Rail Service Planning

BACKGROUND:

In February 2023, Council authorized Staff to apply for the 2023-24 Sustainable Transportation Planning Grant Application. The City applied for a project, led by the City of Hanford in partnership with San Joaquin Joint Powers Authority (SJJPA), the California High-Speed Rail Authority (CHSRA), Kings County Association of Governments (KCAG), Tulare County Association of Governments (TCAG), Fresno Council of Governments (Fresno COG), Kings County Area Public Transit Agency (KCAPTA), and Tulare County Regional Transit Agency (TCRTA), that will result in a plan guiding station-area transit-oriented development (TOD) and a connectivity plan for the Kings-Tulare HSR station area and the Cross Valley Corridor (CVC) Rail Project between Porterville and Huron.

Goals for the plan include reducing potential sprawl, preserving agricultural land, and promoting TOD surrounding and associated with the Kings-Tulare HSR Station, as well as increasing connectivity to the Downtown Hanford Core and communities throughout Kings County, Tulare County, and portions of Fresno County. The Project will result in a planning document that enables the City of Hanford to promote TOD, economic development, encourage revitalization in areas surrounding the Kings-Tulare HSR Station. The Project will support enhancing connections to transit, equitable design, and the advancement of CVC Phase 1 bus service implementation. The project will involve stakeholder and the community to develop a vision that is comprehensive of local and regional mobility needs. The Project will also include CVC Rail station siting analysis, high-level environmental constraints review, UPRR coordination, phasing strategy, and an implementation plan. This effort will provide the planning needed to continue to move the implementation the future CVC Rail Project forward.

In May, City Staff circulated a Request for Proposal to identify a consultant to prepare the aforementioned TOD and CVC planning documents and received proposals from the following firms: Ardurra, Perkins & Will, PlaceWorks, Crandall Arambula, and Torti Gallas & Partners, Inc. The scoring committee reviewed each proposal and the top three firms were interviewed to further

evaluate their qualifications and experience. Based on the established scoring criteria, Perkins & Will received the highest average score. Staff is requesting authorization to enter into an agreement with Perkins & Will to provide services for the Kings-Tulare HSR Station TOD & Connectivity Plan & CVC Rail Service Planning.

FISCAL IMPACT:

Project funding is from a State Sustainable Communities Grant with a staff time in-lieu match from the City.

ATTACHMENTS:

1. Perkins & Will Cost Proposal
2. Project Timeline

Cost Proposal

City of Hanford RFP #2024-16

Planning Services for the Kings-Tulare High Speed Rail Station Transit-Oriented Development and Connectivity Plan and Cross Valley Corridor Rail Service Planning

May 9, 2024

Perkins&Will

FEE MATRIX

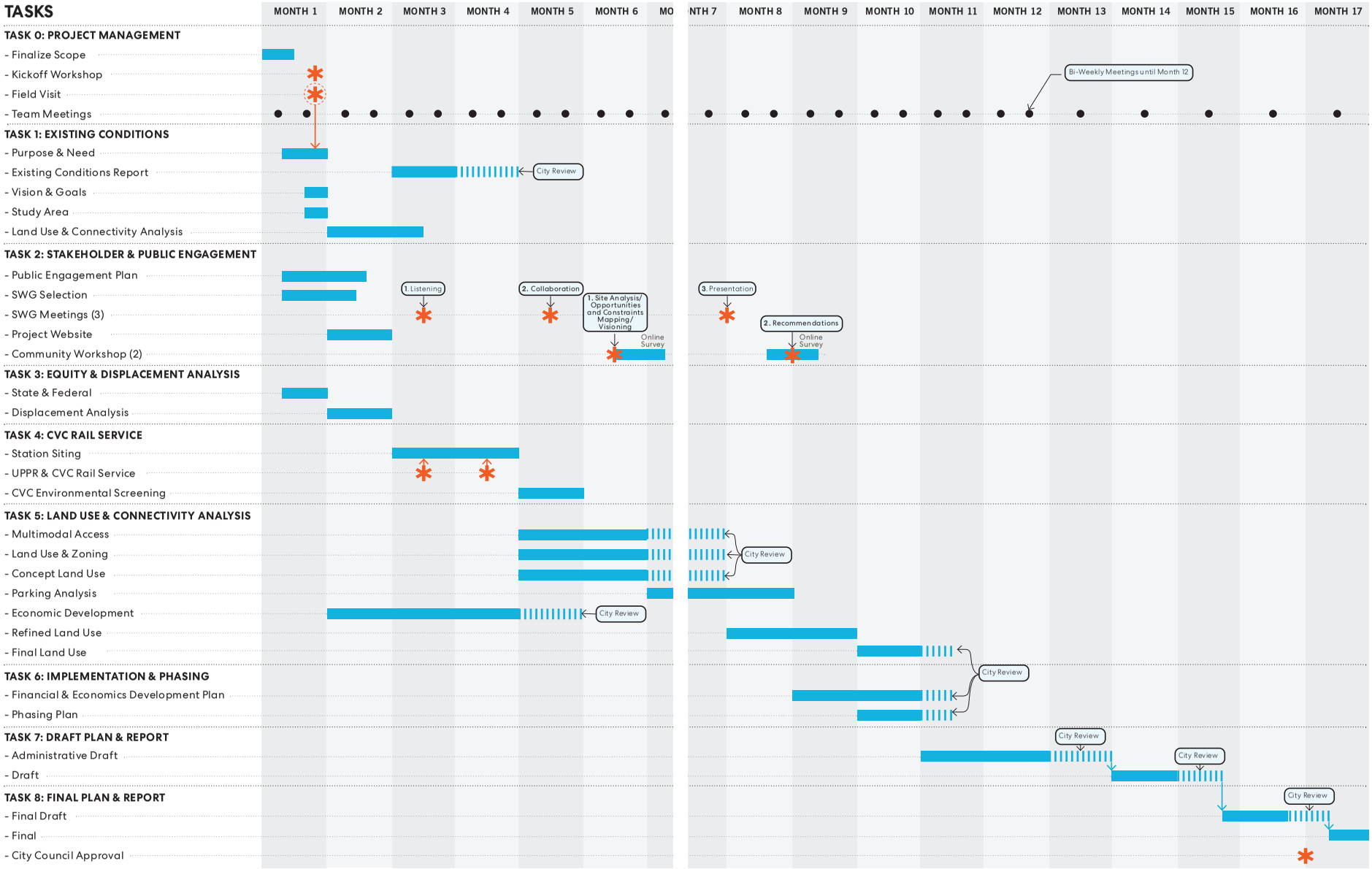
Kings-Tulare HSR Station TOD & Connectivity Plan & CVC Rail Service Planning

8-May-24

Perkins&Will TEAM

	Subtotal labor	Subtotal labor	Subtotal labor	Subtotal labor	Subtotal labor	Subtotal labor	Total
TASK 0: PROJECT MANAGEMENT							
0.1 Finalize Scope of Work	$ 1,080.00	$ -	$ -	$ -	$ -	$ -	
0.2 Kick-Off Workshop & Field Visit	$ 9,640.00	$ -	$ -	$ 3,080.00	$ -	$ 2,960.00	
0.3 Core Team Meetings (Bi-weekly)	$ 29,520.00	$ -	$ -	$ 5,610.00	$ -	$ 7,640.00	
Task Total	**$ 40,240.00**	**$ -**	**$ -**	**$ 8,690.00**	**$ -**	**$ 10,600.00**	**$ 59,530.00**
TASK 1: EXISTING CONDITIONS, LITERATURE REVIEW, VISIONING, AND SCENARIO DEVELOPMENT							
1.1 Purpose & Need Memorandum	$ 5,040.00	$ -	$ -	$ -	$ -	$ -	
1.2 Existing Conditions Report and Literature Review	$ 11,800.00	$ 9,520.00	$ -	$ 5,300.00	$ -	$ 4,130.00	
1.3 Project Vision Statement / Goals and Objectives	$ 7,920.00	$ -	$ -	$ -	$ -	$ -	
1.4 Draft Study Area Boundary	$ 2,360.00	$ -	$ -	$ -	$ -	$ -	
1.5 Draft Land Use and Connectivity Concepts	$ 43,860.00	$ 3,930.00	$ -	$ 4,440.00	$ -	$ 3,820.00	
1.6 Draft Land Use and Transportation Consistency Review	$ 4,160.00	$ 2,385.00	$ -	$ -	$ -	$ -	
Task Total	**$ 75,140.00**	**$ 15,835.00**	**$ -**	**$ 9,740.00**	**$ -**	**$ 7,950.00**	**$ 108,665.00**
TASK 2: STAKEHOLDER & PUBLIC ENGAGEMENT							
2.1 Public Engagement Plan	$ -	$ 3,225.00	$ -	$ -	$ -	$ -	
2.2 Stakeholder Working Group (SWG) Selection	$ 2,520.00	$ 1,125.00	$ -	$ -	$ -	$ -	
2.3 Stakeholder Working Group (SWG) Meetings (3) and Summaries	$ 21,600.00	$ 1,545.00	$ -	$ 3,330.00	$ -	$ -	
2.4 Project Website and Online Engagement	$ 2,160.00	$ 15,185.00	$ -	$ -	$ -	$ -	
2.5 Community Workshops (2) and Materials	$ 14,400.00	$ 20,535.00	$ -	$ 3,330.00	$ -	$ -	
Task Total	**$ 40,680.00**	**$ 41,615.00**	**$ -**	**$ 6,660.00**	**$ -**	**$ -**	**$ 88,955.00**
TASK 3: EQUITY AND DISPLACEMENT ANALYSIS							
3.1 State and Federal DAC Definitions Maps	$ 12,880.00	$ -	$ -	$ -	$ -	$ -	
3.2 Displacement Analysis and Mitigations	$ -	$ -	$ -	$ 10,990.00	$ -	$ -	
Task Total	**$ 12,880.00**	**$ -**	**$ -**	**$ 10,990.00**	**$ -**	**$ -**	**$ 23,870.00**
TASK 4: CVC RAIL SERVICE DEVELOPMENT PLAN STATION SITING ANALYSIS, UPRRC COORDINATION, ENVIRONMENTAL SCREENING							
4.1 Station Siting Analysis	$ 15,880.00	$ -	$ -	$ -	$ 11,800.00	$ 7,960.00	
4.2 UPRR and CVC Rail Service Stakeholder Coordination	$ 4,320.00	$ -		$ -	$ 7,688.00	$ -	
4.3 CVC Rail Service Environmental Screening	$ -	$ -	$ 30,152.00	$ -	$ -	$ -	
Task Total	**$ 20,200.00**	**$ -**	**$ 30,152.00**	**$ -**	**$ 19,488.00**	**$ 7,960.00**	**$ 77,800.00**
TASK 5: KINGS-TULARE HSR STATION TOD LAND USE AND CONNECTIVITY ANALYSIS							
5.1 Multimodal Access, Circulation, and Connectivity Analysis	$ 11,800.00	$ 4,965.00	$ -	$ -	$ -	$ 9,980.00	
5.2 Land Use and Zoning Overlay Assessment and Recommendations	$ 21,560.00	$ -	$ -	$ -	$ -	$ -	
5.3 Concept Land Use, Circulation, and Preservation Plan	$ 24,800.00	$ 3,685.00		$ -		$ 20,880.00	
5.4 Parking Analysis	$ -	$ -		$ -		$ 11,520.00	
5.5 Economic Development Plan	$ -	$ -		$ 17,970.00		$ -	
5.6 Refined Land Use and Connectivity Concepts	$ 13,080.00	$ 16,830.00		$ -		$ 3,000.00	
5.7 Final Land Use and Transportation Consistency Review	$ 6,520.00	$ 1,545.00		$ -		$ -	
5.8 Recommended Final Alternative	$ 4,080.00	$ 1,545.00	$ -	$ -	$ -	$ -	
Task Total	**$ 81,840.00**	**$ 28,570.00**	**$ -**	**$ 17,970.00**	**$ -**	**$ 45,380.00**	**$ 173,760.00**
TASK 6: KINGS-TULARE HSR STATION TOD AND CONNECTIVITY PROJECT IMPLEMENTATION STRATEGY AND PHASING PLAN							
6.1 Financial and Economic Development Plan	$ -	$ -	$ -	$ 15,160.00	$ -	$ -	
6.2 Implementation and Phasing Plan	$ 4,360.00	$ -	$ -	$ 13,920.00	$ -	$ -	
Task Total	**$ 4,360.00**	**$ -**	**$ -**	**$ 29,080.00**	**$ -**	**$ -**	**$ 33,440.00**
TASK 7: DRAFT KINGS-TULARE HSR STATION TOD AND CONNECTIVITY PLAN AND DRAFT CVC RAIL SERVICE PLANNING SUMMARY							
7.1 Administrative Draft Kings-Tulare HSR TOD and Connectivity Plan	$ 35,480.00	$ -	$ -	$ 3,380.00	$ -	$ -	
7.2 CVC Rail Service Summary Report	$ -	$ -	$ -	$ -	$ 8,668.00	$ -	
Task Total	**$ 35,480.00**	**$ -**	**$ -**	**$ 3,380.00**	**$ 8,668.00**	**$ -**	**$ 47,528.00**
TASK 8: FINAL KINGS-TULARE HSR STATION TOD AND CONNECTIVITY PLAN AND FINAL CVC RAIL SERVICE PLANNING SUMMARY							
8.1 Final Kings-Tulare TOD and Connectivity Plan	$ 12,160.00	$ -	$ -	$ -	$ -	$ -	
8.2 Final CVC Rail Service Summary Report	$ 1,080.00	$ -	$ -	$ -	$ -	$ -	
8.3 City Council Presentation	$ 5,040.00	$ -	$ -	$ 2,720.00	$ -	$ -	
8.4 Final Plan Presentations	$ 2,160.00	$ -	$ -	$ 2,720.00	$ -	$ -	
Task Total	**$ 20,440.00**	**$ -**	**$ -**	**$ 5,440.00**	**$ -**	**$ -**	**$ 25,880.00**
SUBTOTAL LABOR	**331,260**	**86,020**	**30,152**	**91,950**	**28,156**	**71,890**	**$ 639,428.00**
Reimbursable expenses							
Printing For SWGs & Workshops	$3,000.00	$0.00	$0.00	$ -	$0.00	$0.00	
Transportation	$3,000.00	$2,500.00	$0.00	$ 200.00	$0.00	$800.00	
Miscellaneous	$0.00	$0.00	$0.00	$ 600.00	$0.00	$0.00	
Expenses Total	**$ 6,000.00**	**$ 2,500.00**	**$ -**	**$ 800.00**	**$ -**	**$800.00**	**$ 10,100.00**
TOTAL LABOR AND EXPENSES	**$ 337,260.00**	**$ 88,520.00**	**$ 30,152.00**	**$ 92,750.00**	**$ 28,156.00**	**$ 72,690.00**	**$ 649,528.00**

Perkins&Will



AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** GENERAL BUSINESS

SUBJECT:
Approval of an additional Appropriation of $905,066 in the General Fund and $7,875,773 across all Other Funds for the Mid-Cycle Amendment to the 2024-25 Fiscal Year Budget

---

RECOMMENDATION:

Recommendation: Staff recommends, by motion, the City Council approve an additional appropriation of $905,066 in the General Fund and $7,875,773 across all Other Funds for the mid-cycle amendment to the 2024-25 Fiscal Year Budget.

Recommended Motion: I move to approve an additional appropriation of $905,066 in the General Fund and $7,875,773 across all Other Funds for the mid-cycle amendment to the 2024-25 Fiscal Year Budget.

BACKGROUND:

Council adoption of the City's biennial balanced budgets for FY24 & 25 occurred on June 20th, 2023. A Mid-cycle review (after the first fiscal year) allows for Council to make amendments to the second year of the biennial budget, based on a review of the most recent actual activity of the current fiscal year and department requests based on anticipated activity. Consideration of the current economic climate, as well as alignment with Council's goals and objectives, are important aspects of the review process.

This update continues the principles that were established by Resolution 20-29-R for a balanced budget adoption but, in order to achieve a balanced budget, substantial reductions are proposed to fleet reserve contributions. This will leave a large deferred need in the proposed amount of $454,640 for the City to manage in future budgets . New requests for services or positions in the General Fund are generally not recommended by staff during this time unless offset by increased revenues and/or cost reductions. New requests for services or positions across all other Funds are reviewed on a fund-by-fund basis to ensure fund balance availability and/or the request is offset by an increase in projected revenues or expenditure savings. Proprietary (Enterprise) funds have their expenses recovered by rates collected from customers in order to carry out operations.

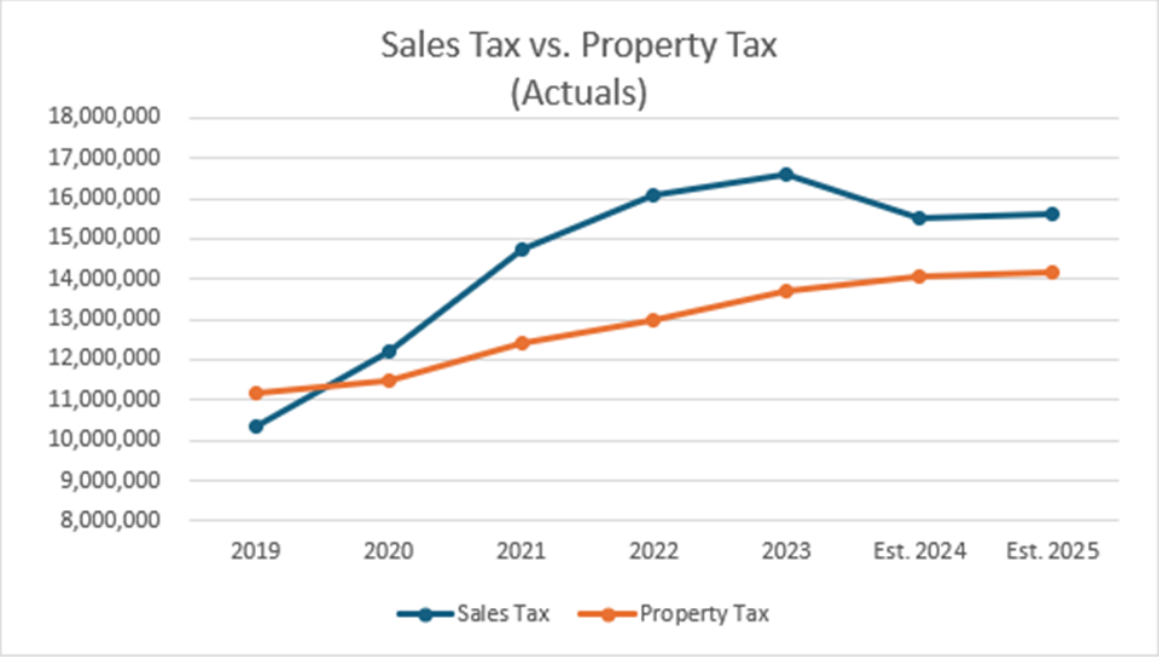
REVIEW OF GENERAL FUND REVENUES:

The highest contributors of revenue for the General Fund (GF) are property and sales tax. As we approach the year end for FY24, property tax revenues are expected to be slightly better than budgeted overall. Property taxes tend to be stable unless there is significant development occurring within the city. In particular, there is a significant increase in the vehicle license fee in lieu tax

dispersed from the DMV. The FY25 budget was conservatively increased from FY24 and should be realized based on prior trends.

It is highly anticipated that sales tax for FY24 may come in under budget based on recent receipts of sales tax and a decreased estimate from our sales tax audit consultant. Estimations are received on a quarterly basis. During budget preparation, staff used the best estimate available at the time based on current trends. This would be the first decrease in sales tax realized by the City since at least FY20. Current sales tax forecasting for FY25 shows the City could come in under budget by approximately $2 million (this would be a slight increase from FY24).

Despite these projections, there is no recommended change to budgeted revenues for sales tax and property tax. With the large fluctuations of estimated sales tax revenue, there is a possibility that estimations could improve. Staff recommends keeping revenue projections 'as is' and in the worst case, assume budget savings from unfilled (vacant) positions to cover a large portion or all of the sales tax budget gap.



SUMMARY OF CHANGES:

FY25 amendment review provided challenges as it was not possible to adjust core GF revenues to offset the additional costs. In order to adhere to a balanced budget, per Resolutions 20-29-R and 22-20-R, the City needs to defer the setting aside of certain reserves or reduce other operating expenses. Building capital/equipment reserves were already deferred during the recent biennial budget adoption.

Below, staff has included two scenarios for Council review. The first scenario includes recommended amendments that are considered essential operationally, or immediate health/safety concerns for the staff or the public, cost increases due to inflation, or departmental revenue offset items. The second scenario includes all items from 'Scenario 1' plus additional deferred departmental requests. Both would be offset by deferring reserves. Moreover, there were additional deferred requests that Finance staff did not include at this time due to an inability to do so and have a balanced budget. Additionally, including them could bring the City into a deficit budget position. All deferred requests may be reconsidered and presented to City Council during the next mid-year review and/or during

the next biennial budget adoption process, in order for staff and the Council to take a comprehensive look at the budget future in hopes of reaching a structurally balanced budget.

Scenario 1 – Summary of proposed amendments (Recommended)

GENERAL FUND-SUMMARY OF CHANGES	NET CHANGE	DESCRIPTION
Revenues		
POLICE - SUPPORT SERVICE	(27,552)	Xfer from police cap & equip reserv
POLICE - ANIMAL CONTROL	(4,800)	Increase in dog licenses fee collected
FIRE - ADMIN/SUPPRESSION	(6,700)	State reimbursement for travel costs
FIRE - FIRE PREVENTION	(85,000)	Increase of fees collected
PARKS & COMM SERV - SPORTS	(33,158)	Begin collecting field permit fees
	(157,210)	
Expenses		
CITY COUNCIL	127,060	Revenue measure public outreach-hard & soft costs
CITY MANAGER - CITY CLERK	35,315	Software renewals and maintenance fees
FINANCE - ACCOUNTING	20,000	Year-end consulting services
CITY ATTORNEY	135,000	Based on historical
PLANNING OPERATIONS	95,000	Annexation project
POLICE - SUPPORT SERVICE	2,500	Comm. headsets, taser & accessories incl. in Axon contract
POLICE - OPERATIONS	211,000	Axon contract, dictation service, citizen online reporting software
POLICE - ANIMAL CONTROL	4,800	Dog license software
FIRE - ADMIN/SUPPRESSION	(175,090)	Fresno Cty dispatch, PPE, reduce fleet reserves *
FIRE - FIRE PREVENTION	23,408	PT assistance to perform inspections & issue permits and related costs
PARKS & COMM SERV - ADMIN	22,000	(2) PT for front desk
PARKS & COMM SERV - YOUTH/ADULT	551,732	Grant reimbursed
PARKS & COMM SERV - PARKS	(101,610)	PT front desk help, added cellphones, elim. of Kings Rehab, cost incr *
PW - ADMINISTRATION & ENGR	70,221	Overfill-Utilities and Engineering Director *
PW - STREET MAINTENANCE	(116,270)	Reduce fleet reserves to cover addtl GF costs *
Additional appropriation	905,066	
Sub-total	747,856	
Minus- costs that are grant reimbursed	551,732	
Minus- cost allocation	205,695	
TOTAL NET (BALANCED)/DEFICIT	**(9,571)**	* Includes reduction to fleet reserves

- Balanced budget with an additional reduction of fleet reserve contributions (not including Police) by 71% or **$454,640**.

Additional appropriation in the amount of $905,066 in the GF is proposed plus other revenue and allocation amendments. In total, the approximate amount of building capital/equipment replacement, fleet and computer reserve contribution deferrals would amount to almost **$805,000** for 'Scenario 1' which at some point will need to be paid.

OTHER FUNDS-SUMMARY OF CHANGES

	NET CHANGE	DESCRIPTION
Expenses		
GAS TAX - 2103	1,330,187	Projects
TRANSPORTN FACLTY IMP FEE	555,075	Projects
AIRPORT OPERATIONS	50,000	Fuel
REFUSE OPERATIONS	101,000	Equipment, increased costs, projects
REFUSE STREET CLEANING	147,063	Street cleaning vendor
REFUSE CAPITAL & RESERVES	10,000	Project
STORM DRAINAGE OPERATIONS	5,000	Chemicals
STORM DRAINAGE CAPITAL	983,880	Vac truck, projects
WASTEWATER OPERATIONS	352,100	Well improv credit to renter, chemicals, etc.
WASTEWATER CAPITAL & RESV	1,755,000	Equipment and projects
FINANCE-UTILITY BILLING	33,000	Error-increase based on historical
WATER OPERATIONS	400,000	Price increases, scada mtc, audit, chemicals, project
WATER CAPITAL & RESERVE	20,000	Project
LIABILITY INSURANCE	1,147,107	Estimated renewal pricing-Prism
BUILDING MAINTENANCE	7,500	Small tools, training, rental equip
FLEET MAINTENANCE OPER	298,600	fuel, equipment, necessary parts and price increases
FLEET REPLACEMENT RESERVE	372,099	Vac truck, mower
POLICE CAP/EQUIP REPL RES	27,552	Xfer to police operations to offset Axon contract
COPS	280,610	Fund two officers-grant reimbursed
Additional appropriations	**7,875,773**	

An additional appropriation in the amount of $7,875,773 across all Other Funds is proposed.

Scenario 2 – Summary of amendments (recommended to defer)

GENERAL FUND-SUMMARY OF CHANGES	NET CHANGE	DESCRIPTION	
Expenses			
FIRE - ADMIN/SUPPRESSION	73,950	Equip repl, station repairs, softwares, materials printing, training	Additional department requests $233,450
PARKS & COMM SERV - PARKS	70,000	Increase water usage-directed to improve parks	
PW - ADMINISTRATION & ENGR	57,500	Interns, surveyor services, addtl training	
PW - STREET MAINTENANCE	32,000	PT staff for daily tasks and projects, parts, supplies & signs	
CITY COUNCIL	(1,290)	Zero out computer replacement reserves	Additional reduction of fleet and computer reserves to offset additional requests
CITY MANAGER - CITY CLERK	(5,220)	Zero out computer replacement reserves	
HUMAN RESOURCES	(1,220)	Zero out computer replacement reserves	
FINANCE - ACCOUNTING	(4,090)	Zero out computer replacement reserves	
PLANNING OPERATIONS	(1,540)	Zero out computer replacement reserves	
BUILDING INSPECTIONS	(3,130)	Zero out computer replacement reserves	
POLICE - SUPPORT SERVICE	(3,060)	Zero out computer replacement reserves	
POLICE - RECORDS	(1,830)	Zero out computer replacement reserves	
POLICE - COMMUNICATIONS	(1,910)	Zero out computer replacement reserves	
POLICE - OPERATIONS	(41,490)	Zero out computer replacement reserves	
POLICE - TRAFFIC OPERATIONS	(540)	Zero out computer replacement reserves	
POLICE - SCHOOL OFFICER PRG	(330)	Zero out computer replacement reserves	
POLICE - POP PROGRAM	(730)	Zero out computer replacement reserves	
POLICE - HART	(750)	Zero out computer replacement reserves	
FIRE - ADMIN SUPRESSION	(53,320)	Addt reduction to fleet reserv, zero out comp repl reserv	
FIRE - FIRE PREVENTION	(3,220)	Zero out computer replacement reserves	
PARKS & COMM SERV - ADMIN	(1,040)	Zero out computer replacement reserves	
PARKS & COMM SERV - SPORTS	(280)	Zero out computer replacement reserves	
PARKS & COMM SERV - FACILITI	(980)	Zero out computer replacement reserves	
PARKS & COMM SERV - PARKS	(18,060)	Addt reduction to fleet reserv, zero out comp repl reserv	
PW - ADMINISTRATION & ENGR	(16,580)	Addt reduction to fleet reserv, zero out comp repl reserv	
PW - STREET MAINTENANCE	(23,590)	Addt reduction to fleet reserv, zero out comp repl reserv	
Additional appropriation	49,250		
Plus Scenario 1 appropriation	905,066		
Scenario 2 appropriation	954,316		
Sub-total	49,250		
Scenario 1 Sub-total	747,856		
Scenario 2 Sub-total	797,106		
Minus-costs that are grant reimbursed	551,732		
Minus-cost allocation	249,490		
TOTAL NET (BALANCED)/DEFICIT	(4,116)		

- Includes the changes in Scenario 1 plus $233,450 in additional requests made by the departments in the GF.
- Balanced budget due to a reduction of fleet reserve contributions (not including Police) by 85% or $544,290 and completely reducing computer replacement reserves by 100% or $94,550 for a total offset of **$638,840**.
- Other Funds appropriation remains the same.

The deferred scenario would include an additional appropriation in the amount of $954,316 in the GF and $7,875,773 across all other Funds. However, this scenario would defer an additional almost

$185,000 in cuts to fleet and computer replacement reserves, on top of approximately $450,000 already deferred in "Scenario 1" for over $1 million in deferral of reserves for future vehicles and IT equipment. Staff believes the recommendation already includes substantial deferrals that are compounding what was deferred in the original budget adoption and will eventually come back to create a deeper burden on the City.

FISCAL IMPACT:

Staff's recommendation proposes an additional appropriation of $905,066 in the General Fund and $7,875,773 across all other Funds which will be paid for by a combination of reducing fleet reserve contributions, cost allocation increases, department revenue increases and fund balances available. The General Fund would maintain a balanced budget, but only due to substantial deferrals and offsetting revenue increases.

For detailed line items of proposed amendments and total budget change by department, see Attachment “A”.

ATTACHMENTS:

1. Attachment A

ATTACHMENT A

GENERAL FUND-DETAIL OF CHANGES (SCENARIO 1-RECOMMENDED)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
0001-11000000 CITY COUNCIL					
11000000	749500	PROF AND SPEC SERVICES	222,000	349,060	127,060
11000000-TOTAL			**222,000**	**349,060**	**127,060**
0001-11100000 CITY MANAGER - CITY CLERK					
11100000	745000	PUBLICATIONS AND DUES	5,500	39,100	33,600
11100000	760000	SPECIAL DEPARTMENTAL EXP	1,500	3,215	1,715
11100000-TOTAL			**7,000**	**42,315**	**35,315**
0001-12010000 FINANCE - ACCOUNTING					
12010000	749500	PROF AND SPEC SERVICES	222,000	242,000	20,000
12010000-TOTAL			**222,000**	**242,000**	**20,000**
0001-13000000 CITY ATTORNEY					
13000000	749000	CONTRACTED LEGAL SERVICES	300,000	400,000	100,000
13000000	751900	LIABILITY RISK MANAGEMENT	155,000	190,000	35,000
13000000-TOTAL			**455,000**	**590,000**	**135,000**
0001-14110000 PLANNING OPERATIONS					
14110000	749500	PROF AND SPEC SERVICES	20,000	115,000	95,000
14110000-TOTAL			**20,000**	**115,000**	**95,000**
0001-15110000 POLICE - SUPPORT SERVICE					
15110000	760300	SWAT EXPENSES	25,900	43,400	17,500
15110000	760000	SPECIAL DEPARTMENTAL EXP	72,430	57,430	(15,000)
15110000-TOTAL			**98,330**	**100,830**	**2,500**
0001-15130000 POLICE - OPERATIONS					
15130000	570200	TRANSFERS IN	-	(27,552)	(27,552)
15130000	741300	SOFTWARE MAINTENANCE	70,000	260,000	190,000
15130000	749500	PROF AND SPEC SERVICES	10,000	31,000	21,000
15130000-TOTAL			**80,000**	**263,448**	**183,448**
0001-15180000 POLICE - ANIMAL CONTROL					
15180000	420400	ANIMAL CONT REVENUE	(5,600)	(10,400)	(4,800)
15180000	760000	SPECIAL DEPARTMENTAL EXP	4,100	8,900	4,800
15180000-TOTAL			**(1,500)**	**(1,500)**	**-**
0001-16100000 FIRE - ADMIN/SUPPRESSION					
16100000	543100	FIRE/TRAINING REIM	(1,800)	(8,500)	(6,700)
16100000	732000	COMMUNICATIONS	239,000	287,000	48,000
16100000	741000	FLEET REPLACEMENT RESERVES	342,380	99,290	(243,090)
16100000	799500	OPERATIONAL CAPITAL OUTLAY	55,000	75,000	20,000
16100000-TOTAL			**634,580**	**452,790**	**(181,790)**
0001-16110000 FIRE - FIRE PREVENTION					
16110000	494002	LIFE/SAFETY/BLDG INS FEE	(15,000)	(45,000)	(30,000)
16110000	494003	FIRE PLAN CHECKING FEES	(30,000)	(40,000)	(10,000)
16110000	494300	FIRE INSPECTN & OTHR FEES	(230,000)	(275,000)	(45,000)
16110000	701300	PART-TIME EMPLOYEES	52,000	92,000	40,000
16110000	744000	OFFICE EXPENSE MISC	800	8,000	7,200
16110000	749500	PROF AND SPEC SERVICES	48,792	10,000	(38,792)
16110000	760000	SPECIAL DEPARTMENTAL EXP	5,000	10,000	5,000
16110000	777000	TRAINING/TRAVEL/MEETING	5,000	15,000	10,000
16110000-TOTAL			**(163,408)**	**(225,000)**	**(61,592)**

GENERAL FUND-DETAIL OF CHANGES (SCENARIO 1-RECOMMENDED)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
0001-17100000 PARKS & COMM SERV - ADMIN					
17100000	701300	PART-TIME EMPLOYEES	-	22,000	22,000
17100000-TOTAL			**-**	**22,000**	**22,000**
0001-17110000 PARKS & COMM SERV - SPORTS					
17110000	4*	FIELD PERMIT	-	(33,158)	(33,158)
17110000-TOTAL			**-**	**(33,158)**	**(33,158)**
0001-17190000 PARKS & COMM SERV - YOUTH/ADULT/SPC SERVICES					
17190000	767601	B&GC 01 SALARIES & BEN PROP64	-	34,902	34,902
17190000	767602	B&GC 02 SERV & SUPPLIES PROP64	-	25,740	25,740
17190000	767603	B&GC 03 PROFESS SVC PROP64	-	19,275	19,275
17190000	767604	B&GC 04 NGO CONTRACTS PROP64	-	331,311	331,311
17190000	767605	BG&C 05 EQUIP PROP64	-	90,000	90,000
17190000	767607	B&GC 07 PROGRAM EVAL PROP64	-	5,000	5,000
17190000	767609	B&GC 09 OTHER PROP64	-	800	800
17190000	767611	B&GC 11 INDIRECT COSTS PROP64	-	44,704	44,704
17190000-TOTAL			**-**	**551,732**	**551,732**
0001-17220000 PARKS & COMM SERV - PARKS					
17220000	701300	PART-TIME EMPLOYEES	66,000	44,000	(22,000)
17220000	732000	COMMUNICATIONS	3,000	8,650	5,650
17220000	741000	FLEET REPLACEMENT RESERVES	122,340	35,480	(86,860)
17220000	749500	PROF AND SPEC SERVICES	12,000	3,600	(8,400)
17220000	765000	CHEMICAL AND CHEMICAL SUPP	30,000	36,000	6,000
17220000	778000	UTILITIES-ELECTRICITY	17,000	21,000	4,000
17220000-TOTAL			**250,340**	**148,730**	**(101,610)**
0001-20100000 PW - ADMINISTRATION & ENGR					
20100000	701000	REGULAR EMPLOYEES	1,569,320	1,604,504	35,184
20100000	701800	INCENTIVE PAY	34,920	51,783	16,863
20100000	703600	CAR ALLOWANCE	-	6,000	6,000
20100000	707110	RETIREMENT	269,945	275,179	5,234
20100000	707149	OTHER PERSONNEL BENEFITS	55,000	57,557	2,557
20100000	708601	INSURANCE-MEDICAL	120,280	132,136	11,856
20100000	708602	INSURANCE-DENTAL	12,310	13,257	947
20100000	741000	FLEET REPLACEMENT RESERVES	11,860	3,440	(8,420)
20100000-TOTAL			**2,073,635**	**2,143,856**	**70,221**
0001-20110000 PW - STREET MAINTENANCE					
20110000	7410000	FLEET REPLACEMENT RESERVES	163,770	47,500	(116,270)
20110000-TOTAL			**163,770**	**47,500**	**(116,270)**
				SCENARIO 1	**747,856**

OTHER FUNDS- SUMMARY OF CHANGES (SCENARIO 1 OR 2-RECOMMENDED)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
0044-26650000 GAS TAX - 2103					
0044	26650000	8* GARDNER & GOLITA	-	615,647	615,647
0044	26650000	8* GRANGEVILLE MEDIAN AT HARRIS STREE	-	674,540	674,540
0044	26650000	8* ENGINEERING STANDARDS SPECIFICATIO	-	40,000	40,000
	26650000-T		**-**	**1,330,187**	**1,330,187**
0181-21810000 TRANSPORTN FACLTY IMP FEE					
0181	21810000	820640 12TH AV WID/SPRINGCREST-SW	-	475,075	475,075
0181	21810000	8* ENGINEERING STANDARDS SPECIFICATIO	-	80,000	80,000
	21810000-T		**-**	**555,075**	**555,075**
0300-11102020 AIRPORT OPERATIONS					
0300	11102020	743300 FUEL AND LUBE MAINTENANCE	165,000	215,000	50,000
	11102020-T		**165,000**	**215,000**	**50,000**
0306-20310000 REFUSE OPERATIONS					
0306	20310000	732000 COMMUNICATIONS	3,000	10,000	7,000
0306	20310000	760000 SPECIAL DEPARTMENTAL EXP	15,000	20,000	5,000
0306	20310000	799500 OPERATIONAL CAPITAL OUTLAY	-	30,000	30,000
0306	20310000	823008 AUTOMATED REFUSE CONTAINERS	225,000	-	(225,000)
0306	20310000	824001 COMMERCIAL/RECYCLE DUMPSTERS	150,000	400,000	250,000
0306	20310000	824002 AUTOMATED REFUSE CONTAINERS 96GA	225,000	259,000	34,000
	20310000-T		**618,000**	**719,000**	**101,000**
0306-20320000 REFUSE STREET CLEANING					
0306	20320000	701000 REGULAR EMPLOYEES	235,820	-	(235,820)
0306	20320000	701500 OVERTIME	1,421	-	(1,421)
0306	20320000	702000 HOLIDAY-IN-LIEU	290	-	(290)
0306	20320000	702300 DIFFERENTIAL	2,110	-	(2,110)
0306	20320000	707110 RETIREMENT	33,110	-	(33,110)
0306	20320000	707149 OTHER PERSONNEL BENEFITS	3,420	-	(3,420)
0306	20320000	707160 RETIREMENT-DEF COMP	3,910	-	(3,910)
0306	20320000	707169 WORKERS' COMP INSURANCE	20,337	-	(20,337)
0306	20320000	708601 INSURANCE-MEDICAL	12,070	-	(12,070)
0306	20320000	708602 INSURANCE-DENTAL	1,890	-	(1,890)
0306	20320000	708603 INSURANCE-VISION	260	-	(260)
0306	20320000	708604 INSURANCE-LIFE	1,040	-	(1,040)
0306	20320000	730000 UNIFORM EXPENSE	1,800	-	(1,800)
0306	20320000	740000 FLEET MAINTENANCE	246,110	-	(246,110)
0306	20320000	741000 FLEET REPLACEMENT RESERVE	147,310	-	(147,310)
0306	20320000	742000 BUILDING MTCE OVERHEAD	5,600	-	(5,600)
0306	20320000	742100 BLDG CPTL/EQPT REPL RSRVE	939	-	(939)
0306	20320000	749500 PROF AND SPEC SERVICES	-	869,290	869,290
0306	20320000	749600 GRP INSUR ADM EXPENSE	3,990	-	(3,990)
0306	20320000	760000 SPECIAL DEPARTMENTAL EXP	150	-	(150)
0306	20320000	778800 UTILITIES-WATER	650	-	(650)
	20320000-T		**722,227**	**869,290**	**147,063**
0307-20370000 REFUSE CAPITAL & RESERVES					
0307	20370000	8* ENGINEERING STANDARDS SPECIFICATIO	-	10,000	10,000
	20370000-T		**-**	**10,000**	**10,000**
0358-20610000 STORM DRAINAGE OPERATIONS					
0358	20610000	765000 CHEMICAL AND CHEMICAL SUPP	-	5,000	5,000
	20610000-T		**-**	**5,000**	**5,000**
0359-20620000 STORM DRAINAGE CAPITAL					
0359	20620000	8* STORM DRAIN VAC TRUCK	-	453,880	453,880
0359	20620000	8* 8TH & IRWIN FLOOD CONTROL IMPROV	-	500,000	500,000
0359	20620000	8* ENGINEERING STANDARDS SPECIFICATIO	-	30,000	30,000

OTHER FUNDS- SUMMARY OF CHANGES (SCENARIO 1 OR 2-RECOMMENDED)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
20620000-T			**-**	**983,880**	**983,880**
0361-20710000 WASTEWATER OPERATIONS					
0361 20710000	757000	RENTS-WELL IMPROVEMENTS	-	118,600	118,600
0361 20710000	765000	CHEMICAL AND CHEMICAL SUPP	435,000	530,000	95,000
0361 20710000	777000	TRAINING/TRAVEL/MEETING	500	3,500	3,000
0361 20710000	778000	UTILITIES-ELECTRICITY	470,000	600,000	130,000
0361 20710000	795500	TAXES	47,500	53,000	5,500
20710000-T			**953,000**	**1,305,100**	**352,100**
0362-20730000 WASTEWATER CAPITAL & RESV					
0362 20730000	8*	WWTP 3RD INTERNAL LIFT ADDITION	-	1,500,000	1,500,000
0362 20730000	8*	EMERGENCY LIFT PUMP INSTALLATION	-	200,000	200,000
0362 20730000	8*	CONFINED SPACE EQUIPMENT	-	15,000	15,000
0362 20730000	8*	BREATHING APPARATUS	-	20,000	20,000
0362 20730000	8*	ENGINEERING STANDARDS SPECIFICATIO	-	20,000	20,000
20730000-T			**-**	**1,755,000**	**1,755,000**
0390-12100000 FINANCE-UTILITY BILLING					
0390 12100000	749500	PROF AND SPEC SERVICES	20,000	53,000	33,000
12100000-T			**20,000**	**53,000**	**33,000**
0390-20810000 WATER OPERATIONS					
0390 20810000	743300	FUEL AND LUBE MAINTENANCE	-	7,000	7,000
0390 20810000	749500	PROF AND SPEC SERVICES	45,000	135,000	90,000
0390 20810000	760000	SPECIAL DEPARTMENTAL EXP	7,000	10,000	3,000
0390 20810000	765000	CHEMICAL AND CHEMICAL SUPP	300,000	350,000	50,000
0390 20810000	8*	WELL MEDIA FILTRATION	-	250,000	250,000
20810000-T			**352,000**	**752,000**	**400,000**
0391-29100000 WATER CAPITAL & RESERVE					
0391 29100000	8*	ENGINEERING STANDARDS SPECIFICATIO	-	20,000	20,000
29100000-T			**-**	**20,000**	**20,000**
0409-13090000 LIABILITY INSURANCE					
0409 13090000	733000	LIABILITY INSURANCE	900,000	2,047,107	1,147,107
13090000-T			**900,000**	**2,047,107**	**1,147,107**
0416-17502100 BUILDING MAINTENANCE					
0416 17502100	758000	RENTS AND LEASES-EQUIP	500	2,000	1,500
0416 17502100	777000	TRAINING/TRAVEL/MEETING	500	2,500	2,000
0416 17502100	800184	MISC EQUIP-BLD MAINT	-	4,000	4,000
17502100-T			**1,000**	**8,500**	**7,500**
0447-20400000 FLEET MAINTENANCE OPER					
0447 20400000	743300	FUEL AND LUBE MAINTENANCE	1,060,000	1,166,000	106,000
0447 20400000	743400	TIRES AND TUBES	275,000	297,000	22,000
0447 20400000	749500	PROF AND SPEC SERVICES	174,450	188,450	14,000
0447 20400000	760000	SPECIAL DEPARTMENTAL EXP	632,400	682,000	49,600
0447 20400000	777000	TRAINING/TRAVEL/MEETING	1,500	6,000	4,500
0447 20400000	8*	SHOP LIFT	-	70,000	70,000
0447 20400000	8*	SHOP EQUIPMENT	-	25,500	25,500
0447 20400000	8*	SMOG EQUIPMENT	-	7,000	7,000
20400000-T			**2,143,350**	**2,441,950**	**298,600**
0448-20500000 FLEET REPLACEMENT RESERVE					
0448 20500000	8*	STORM DRAIN VAC TRUCK	-	346,120	346,120
0448 20500000	8*	MOWER TO REPLACE UNIT 207	-	25,979	25,979
20500000-T			**-**	**372,099**	**372,099**
0451-15110100 POLICE CAP/EQUIP REPL RES					
0451 15110100	945000	TRANSFERS OUT	-	27,552	27,552

OTHER FUNDS- SUMMARY OF CHANGES (SCENARIO 1 OR 2-RECOMMENDED)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
15110100-T			**-**	**27,552**	**27,552**
0518-05181500-COPS					
0518 05181500	701000	REGULAR EMPLOYEES	-	185,848	185,848
0518 05181500	701500	OVERTIME	-	20,000	20,000
0518 05181500	701800	INCENTIVE	-	2,000	2,000
0518 05181500	702000	HOLIDAY-IN-LIEU	-	3,952	3,952
0518 05181500	702700	VACATION PAYOUT	-	2,960	2,960
0518 05181500	703300	UNIFORM ALLOWANCE	-	2,400	2,400
0518 05181500	707110	RETIREMENT	-	28,296	28,296
0518 05181500	707149	OTHER PERSONNEL BENEFITS	-	2,696	2,696
0518 05181500	707160	RETIREMENT-DEF COMP	-	3,912	3,912
0518 05181500	708601	INSURANCE-MEDICAL	-	12,072	12,072
0518 05181500	708602	INSURANCE-DENTAL	-	1,894	1,894
0518 05181500	708603	INSURANCE-VISION	-	258	258
0518 05181500	708604	INSURANCE-LIFE	-	522	522
0518 05181500	759000	RENTS & LEASES - VEHICLES	-	13,800	13,800
0518-TOTAL			**-**	**280,610**	**280,610**
				SCENARIO 1 OR 2	**7,875,773**

GENERAL FUND-DETAIL OF CHANGES (SCENARIO 2)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
0001-11000000 CITY COUNCIL					
11000000	743100	COMPUTER REPLACEMENT RESERVES	1,290	-	(1,290)
11000000	749500	PROF AND SPEC SERVICES	222,000	349,060	127,060
11000000-TOTAL			**223,290**	**349,060**	**125,770**
0001-11100000 CITY MANAGER - CITY CLERK					
11100000	743100	COMPUTER REPLACEMENT RESERVES	5,220	-	(5,220)
11100000	745000	PUBLICATIONS AND DUES	5,500	39,100	33,600
11100000	760000	SPECIAL DEPARTMENTAL EXP	1,500	3,215	1,715
11100000-TOTAL			**12,220**	**42,315**	**30,095**
0001-11110000 HUMAN RESOURCES					
11110000	743100	COMPUTER REPLACEMENT RESERVES	1,220	-	(1,220)
11110000-TOTAL			**1,220**	**-**	**(1,220)**
0001-12010000 FINANCE - ACCOUNTING					
12010000	743100	COMPUTER REPLACEMENT RESERVES	4,090	-	(4,090)
12010000	749500	PROF AND SPEC SERVICES	222,000	242,000	20,000
12010000-TOTAL			**226,090**	**242,000**	**15,910**
0001-13000000 CITY ATTORNEY					
13000000	749000	CONTRACTED LEGAL SERVICES	300,000	400,000	100,000
13000000	751900	LIABILITY RISK MANAGEMENT	155,000	190,000	35,000
13000000-TOTAL			**455,000**	**590,000**	**135,000**
0001-14110000 PLANNING OPERATIONS					
14110000	743100	COMPUTER REPLACEMENT RESERVES	1,540	-	(1,540)
14110000	749500	PROF AND SPEC SERVICES	20,000	115,000	95,000
14110000-TOTAL			**21,540**	**115,000**	**93,460**
0001-14120000 BUILDING INSPECTIONS					
14110000	743100	COMPUTER REPLACEMENT RESERVES	3,130	-	(3,130)
14120000-TOTAL			**3,130**	**-**	**(3,130)**
0001-15110000 POLICE - SUPPORT SERVICE					
15110000	743100	COMPUTER REPLACEMENT RESERVES	3,060	-	(3,060)
15110000	760300	SWAT EXPENSES	25,900	43,400	17,500
15110000	760000	SPECIAL DEPARTMENTAL EXP	72,430	57,430	(15,000)
15110000-TOTAL			**101,390**	**100,830**	**(560)**
0001-15121000 POLICE - RECORDS					
15121000	743100	COMPUTER REPLACEMENT RESERVES	1,830	-	(1,830)
15121000-TOTAL			**1,830**	**-**	**(1,830)**
0001-15122000 POLICE - COMMUNICATIONS					
15122000	743100	COMPUTER REPLACEMENT RESERVES	1,910	-	(1,910)
15122000-TOTAL			**1,910**	**-**	**(1,910)**
0001-15130000 POLICE - OPERATIONS					
15130000	570200	TRANSFERS IN	-	(27,552)	(27,552)
15130000	741300	SOFTWARE MAINTENANCE	70,000	260,000	190,000
15130000	743100	COMPUTER REPLACEMENT RESERVES	41,490	-	(41,490)
15130000	749500	PROF AND SPEC SERVICES	10,000	31,000	21,000
15130000-TOTAL			**121,490**	**263,448**	**141,958**
0001-15140000 POLICE - TRAFFIC ENFORCEMENT					
15140000	743100	COMPUTER REPLACEMENT RESERVES	540	-	(540)
15140000-TOTAL			**540**	**-**	**(540)**
0001-15160000 POLICE - SCHOOL OFFICER PRG					
15160000	743100	COMPUTER REPLACEMENT RESERVES	330	-	(330)
15160000-TOTAL			**330**	**-**	**(330)**

GENERAL FUND-DETAIL OF CHANGES (SCENARIO 2)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
0001-15170000 POLICE -POP PROGRAM					
15170000	743100	COMPUTER REPLACEMENT RESERVES	730	-	(730)
15170000-TOTAL			**730**	**-**	**(730)**
0001-15180000 POLICE - ANIMAL CONTROL					
15180000	420400	ANIMAL CONT REVENUE	(5,600)	(10,400)	(4,800)
15180000	760000	SPECIAL DEPARTMENTAL EXP	4,100	8,900	4,800
15180000-TOTAL			**(1,500)**	**(1,500)**	**-**
0001-15190000 POLICE -HART					
15190000	743100	COMPUTER REPLACEMENT RESERVES	750	-	(750)
15190000-TOTAL			**750**	**-**	**(750)**
0001-16100000 FIRE - ADMIN/SUPPRESSION					
16100000	543100	FIRE/TRAINING REIM	(1,800)	(8,500)	(6,700)
16100000	732000	COMMUNICATIONS	239,000	287,000	48,000
16100000	741000	FLEET REPLACEMENT RESERVES	342,380	51,360	(291,020)
16100000	741200	EQUIPMENT MAINTENANCE	36,850	50,000	13,150
16100000	741400	BUILDING MTCE INTERNAL COSTS	5,000	20,000	15,000
16100000	743100	COMPUTER REPLACEMENT RESERVES	5,390	-	(5,390)
16100000	747000	PRINTING	3,800	6,000	2,200
16100000	749500	PROF AND SPEC SERVICES	52,970	75,970	23,000
16100000	777000	TRAINING/TRAVEL/MEETING	24,400	45,000	20,600
16100000	799500	OPERATIONAL CAPITAL OUTLAY	55,000	75,000	20,000
16100000-TOTAL			**762,990**	**601,830**	**(161,160)**
0001-16110000 FIRE - FIRE PREVENTION					
16110000	494002	LIFE/SAFETY/BLDG INS FEE	(15,000)	(45,000)	(30,000)
16110000	494003	FIRE PLAN CHECKING FEES	(30,000)	(40,000)	(10,000)
16110000	494300	FIRE INSPECTN & OTHR FEES	(230,000)	(275,000)	(45,000)
16110000	701300	PART-TIME EMPLOYEES	52,000	92,000	40,000
16110000	743100	COMPUTER REPLACEMENT RESERVES	3,220	-	(3,220)
16110000	744000	OFFICE EXPENSE MISC	800	8,000	7,200
16110000	749500	PROF AND SPEC SERVICES	48,792	10,000	(38,792)
16110000	760000	SPECIAL DEPARTMENTAL EXP	5,000	10,000	5,000
16110000	777000	TRAINING/TRAVEL/MEETING	5,000	15,000	10,000
16110000-TOTAL			**(160,188)**	**(225,000)**	**(64,812)**
0001-17100000 PARKS & COMM SERV - ADMIN					
17100000	701300	PART-TIME EMPLOYEES	-	22,000	22,000
17100000	743100	COMPUTER REPLACEMENT RESERVES	1,040	-	(1,040)
17100000-TOTAL			**1,040**	**22,000**	**20,960**
0001-17110000 PARKS & COMM SERV - SPORTS					
17110000	4*	FIELD PERMIT	-	(33,158)	(33,158)
17110000	743100	COMPUTER REPLACEMENT RESERVES	280	-	(280)
17110000-TOTAL			**280**	**(33,158)**	**(33,438)**
0001-17160000 PARKS & COMM SERV - FACILITIES					
17160000	743100	COMPUTER REPLACEMENT RESERVES	980	-	(980)
17160000-TOTAL			**980**	**-**	**(980)**
0001-17190000 PARKS & COMM SERV - YOUTH/ADULT/SPC SERVICES					
17190000	767601	B&GC 01 SALARIES & BEN PROP64	-	34,902	34,902
17190000	767602	B&GC 02 SERV & SUPPLIES PROP64	-	25,740	25,740
17190000	767603	B&GC 03 PROFESS SVC PROP64	-	19,275	19,275
17190000	767604	B&GC 04 NGO CONTRACTS PROP64	-	331,311	331,311
17190000	767605	BG&C 05 EQUIP PROP64	-	90,000	90,000
17190000	767607	B&GC 07 PROGRAM EVAL PROP64	-	5,000	5,000
17190000	767609	B&GC 09 OTHER PROP64	-	800	800

GENERAL FUND-DETAIL OF CHANGES (SCENARIO 2)

ORG	OBJECT	ACCT DESCRIPTION	2025 BUDGET	2025 AMENDED BUDGET	NET CHANGE
17190000	767611	B&GC 11 INDIRECT COSTS PROP64	-	44,704	44,704
17190000-TOTAL			**-**	**551,732**	**551,732**
0001-17220000 PARKS & COMM SERV - PARKS					
17220000	701300	PART-TIME EMPLOYEES	66,000	44,000	(22,000)
17220000	732000	COMMUNICATIONS	3,000	8,650	5,650
17220000	741000	FLEET REPLACEMENT RESERVES	122,340	18,350	(103,990)
17220000	743100	COMPUTER REPLACEMENT RESERVES	930	-	(930)
17220000	749500	PROF AND SPEC SERVICES	12,000	3,600	(8,400)
17220000	765000	CHEMICAL AND CHEMICAL SUPP	30,000	36,000	6,000
17220000	778000	UTILITIES-ELECTRICITY	17,000	21,000	4,000
17220000	778800	UTILITIES-WATER	190,000	260,000	70,000
17220000-TOTAL			**441,270**	**391,600**	**(49,670)**
0001-20100000 PW - ADMINISTRATION & ENGR					
20100000	701000	REGULAR EMPLOYEES	1,569,320	1,604,504	35,184
20100000	701300	PART-TIME EMPLOYEES	16,000	51,000	35,000
20100000	701800	INCENTIVE PAY	34,920	51,783	16,863
20100000	703600	CAR ALLOWANCE	-	6,000	6,000
20100000	707110	RETIREMENT	269,945	275,179	5,234
20100000	707149	OTHER PERSONNEL BENEFITS	55,000	57,557	2,557
20100000	708601	INSURANCE-MEDICAL	120,280	132,136	11,856
20100000	708602	INSURANCE-DENTAL	12,310	13,257	947
20100000	741000	FLEET REPLACEMENT RESERVES	11,860	1,780	(10,080)
20100000	743100	COMPUTER REPLACEMENT RESERVES	14,920	-	(14,920)
20100000	749500	PROF AND SPEC SERVICES	25,000	40,000	15,000
20100000	777000	TRAINING/TRAVEL/MEETING	2,500	10,000	7,500
20100000-TOTAL			**2,132,055**	**2,243,196**	**111,141**
0001-20110000 PW - STREET MAINTENANCE					
20110000	701300	PART-TIME EMPLOYEES	30,000	45,000	15,000
20110000	7410000	FLEET REPLACEMENT RESERVES	163,770	24,570	(139,200)
20110000	743100	COMPUTER REPLACEMENT RESERVES	660	-	(660)
20110000	760000	SPECIAL DEPARTMENTAL EXP	70,000	87,000	17,000
20110000-TOTAL			**264,430**	**156,570**	**(107,860)**
				SCENARIO 2	**797,106**

AGENDA
STAFF REPORT

MEETING DATE: 7/2/2024	**AGENDA SECTION:** GENERAL BUSINESS

SUBJECT:
Council: Adoption of Resolution 2024-21-R calling for the holding of a general municipal election to be consolidated with the statewide general election to be held on Tuesday, November 5, 2024; Introducing an ordinance enacting a 1 cent transactions and use (sales) tax to be administered by the State Department of Tax and Fee Administration; and ordering the submittal of the ordinance to the voters at the general election.

RECOMMENDATION:

Recommendation: Adoption of Resolution 2024-21-R calling for the holding of a general municipal election to be consolidated with the statewide general election to be held on Tuesday, November 5, 2024; Introducing an ordinance enacting a 1 cent transactions and use (sales) tax to be administered by the State Department of Tax and Fee Administration; and ordering the submittal of the ordinance to the voters at the general election.

Recommended Motion: I move to adopt Resolution 2024-21-R calling for the holding of a general municipal election to be consolidated with the statewide general election to be held on Tuesday, November 5, 2024: Introducing an ordinance enacting a 1 cent transactions and use (sales) tax to be administered by the State Department of Tax and Fee Administration; and ordering the submittal of the ordinance to the voters at the general election.

BACKGROUND:

Overview
Revenue and Taxation Code Section 7285.9 authorizes city councils to levy a transactions and use tax for general revenue purposes via an ordinance approved by a two-thirds vote of all members of the City Council and if approved by a majority vote of the qualified voters of the city voting in an election on the issue.

The resolution and proposed Municipal Code amendments, including the proposed ballot language amendments, are included with this staff report.

Attached is Resolution 2024-21-R for adoption which encapsulates all materials reviewed with City Council previously. This will allow for submission of the ballot language and necessary papers to be filed with the Kings County Elections Office by the requested deadline of July 15, 2024.

Draft Ballot Language
The draft ballot language, included in the draft resolution, was formulated based on input and priorities provided by the Revenue Measure Committee, information from community surveys and

polling, Staff review, input from Randle Communications, and direction from City Council.

The draft ballot language includes funding categories consistent with the draft expenditure plan, a transactions and use tax rate that would cover the expenses outlined in the draft expenditure plan (1%), the establishment of citizen's oversight, audit requirements, a statement indicating that the funds would remain local and that the measure could be ended by voters.

The draft language is provided below:

PROPOSITION " ": Essential City Services Protection Measure

To provide funding that would remain local and cannot be taken by the State to preserve/improve essential city services including, police, fire, 911 emergency response, neighborhood police patrols, crime prevention; maintain city streets and parks; address homelessness; improve youth/senior programs; retain local jobs; and other general services, shall City of Hanford enact a 1¢ Transaction and Use Tax (Sales Tax), providing approximately $19,200,000 annually, until ended by voters; requiring annual independent audits and citizens' oversight?

Resolution
If approved, the attached resolution would call for an election that includes the full text of the Measure's ballot language (above), approve the introduction of the City of Hanford Transaction and Use Tax Ordinance of 2024, authorize the preparation of an impartial analysis of the measure, and request that Kings County render election services including the proposed measure.

Draft City of Hanford Transactions and Use Tax Ordinance of 2024
The draft resolution would authorize the introduction of the City of Hanford Transaction and Use Tax Ordinance of 2024. The Ordinance includes the proposed transactions and use tax rate (1%), a provision giving voters the authority to end the levy of the tax, a provision allowing the Council, by a four-fifths vote to temporarily suspend the tax, and authorization to amend the Hanford Municipal Code to include accountability measures for the sales and use tax.

Draft Sales and Use Tax Accountability Measures
If a sales and use tax were to be passed by Council and voters, the City could amend the Hanford Municipal Code to include specific accountability measures. A draft version of Chapter 3.60 Sales and Use Tax Accountability Measures is attached with this agenda. The language in the draft amendment includes the following accountability measures:

1. Requirements for an expenditure plan that outlines implementation of the sales and use tax for the fiscal year
2. Requirements that any changes to the expenditure plan require a resolution adopted by the majority of Council following the recommendation by the Sales Tax Oversight Board and a public hearing.
3. The initial expenditure plan, annual budgets, and amendments to the expenditure plan are made publicly available.
4. The initial expenditure plan shall dedicate fifteen percent (15%) of budgeted revenues for the initial year of the plan to establish an economic uncertainty fund, which may only be accessed in times of fiscal emergencies. Council may direct that the economic uncertainty fund be accessed in order to fund the remainder of the plan in the case of a fiscal emergency, as determined by 4/5ths vote of the City Council as a whole.
5. Each expenditure plan shall fund department activities as may be recommended from time to time by the Board and approved by the City Council within the parameters approved by the

voters.

6. The Council will appoint a standing oversight committee to constitute the Sales Tax Oversight Board (Board) as approved by Resolution.
7. Each member of the Board shall be a Hanford resident.
8. The City shall provide an annual independent audit that accounts for the tax revenues received and expenditures made. The audits will be made available to the public.

After feedback from City Council at the June 18th meeting, City Attorney review and final staff and Randle Consulting review, a red-line version of the draft resolution and ordinances are attached to this report for review. Minor formatting changes are not shown, but edits and additions to wording are shown. A 'clean' final version of the proposed resolution and ordinances are also included.

Next Steps

With authorization from City Council, a resolution calling for a general municipal election; introducing an ordinance enacting a transaction and use tax; and submittal of the ordinance to voters will be submitted to the Kings County Election Office for inclusion on the November 2024 ballot.

FISCAL IMPACT:

Should a revenue measure be approved by voters, an Expenditure Plan will serve as the basis for how revenues will be spent. A one (1) cent/percent Transactions and Use (Sales) Tax is projected to bring in approximately $19 million annually with all funds to remain local. Any future changes will be reviewed by an Oversight Board, at a Public Hearing and approved by the City Council at public meetings.

ATTACHMENTS:

1. Measure Hanford 10 year plan adopted cc 6.18.24
2. Draft Resolution 7.2.24 mtg clean
3. Draft Resolution 7.2.24 mtg redline

CITY OF HANFORD
Initial Spending Plan With Maintenance and Emerging Needs
All Amounts in Thousand
Growth Rate 2%

Year	Revenue Forecast	Units	Police		Fire		Streets		Parks and Community Services		Maintenance & Emerging Needs @ 3%		Total Expenditures	Net gain/(loss)	Economic Uncertainty (15% of revenues, $2,900 min.)
			Plan Elements												
1	19,200		***New Elements***												
		4	***Police Officers: Patrol***	***640***	***3 Firefighters***	***330***	***Road Rehabilitation/Pavement Pres***	***6,000***	***2 Park Maintenance Employees ****	***260***	***2 Code Compliance Officers ****	***320***			
		4	***Homeless Assistance: 1 Park Resource Officer (PRO)***	***660***	***Station #4 Design***	***600***	***and associated costs***		***** Equipment/Vehicles***		***** Equipment/Vehicles***				
			3 Homeless Assistance Resource Team (HART)		***1 Professional Staff (Analyst)***	***110***									
		8	***Police Cars and Equipment***	***840***	***Station Improvements/Equipment***	***100***			***1 Recreation Coordinator (Youth programs***	***90***	***Community Cleanup/Abatement***	***100***			
											for Code Compliance				
		3	***Professional Staff ****	***300***	***Communications Equipment***	***825***			***Existing Parks Additional Maintenance***	***160***	***City Owned Building Maintenance***	***151***			
			Professional Staff Cars and Equipment*	***180***					***Existing Parks Additional Improvements***	***280***					
			***** Dispatchers, Records and CSO Officers***												
			Public Safety Building Land/Reserve	***6,550***											
			Subtotals	9,170		1,965		6,000		790		571	18,496	704	704
2	19,584		***New Elements***												
			Public Safety Building Design	***3,000***	***Station #4 Construction Reserve***	***295***									
					1 Fire Engine	***1,200***									
			Continuing Elements												
		4	Police Officers: Patrol	653	3 Firefighters	337	Road Rehabilitation/Pavement Preserv	6,180	2 Park Maintenance Employees	163	2 Code Compliance Officers	184			
		4	Homeless Assistance: 3 HART, 1 PRO	673	Station Improvements/Equipment	100	* and associated costs		1 Recreation Coordinator	92	Community Cleanup/Abatement for Code Com	100			
		8	Police Cars and Equipment - exp	165	1 Professional Staff	112	3% annual increase		Existing Parks Additional Maintenance	162	City Owned Building Maintenance	299			
		3	Professional Staff	306					Existing Parks Additional Improvements	283					
			Public Safety Building Reserve	4,000											
			Subtotals	8,797		2,044		6,180		699		582	18,303	1,281	1,985
3	19,976		***New Elements***												
					Station #4 Construction	***6,825***			***1 Park Maintenance Employee***	***80***					
									***** Equipment/Vehicles***	***60***					
			Continuing Elements												
		4	Police Officers: Patrol	666	3 Firefighters	343	Road Rehabilitation/Pavement Preserv	6,365	2 Park Maintenance Employees	250	2 Code Compliance Officers	187			
		4	Homeless Assistance: 3 HART, 1 PRO	686	Station Improvements/Equipment	100	* and associated costs		1 Recreation Coordinator	94	Community Cleanup/Abatement for Code Com	100			
		8	Police Cars and Equipment - exp	165	1 Professional Staff	104	3% annual increase		Existing Parks Additional Maintenance	163	City Owned Building Maintenance	307			
		3	Professional Staff	312					Existing Parks Additional Improvements	286					
			Public Safety Building Reserve	3,000											
			Subtotals	4,829		7,372		6,365		932		594	20,093	(117)	1,868
4	20,375		***New Elements***												
			Public Safety Building Furnishings	***2,000***	***1 Firefighter***	***110***									
			Public Safety Building Completion *	***4,600***	***9 Station #4 Staffing***	***1,800***									
			***** debt payment***		***Station #4 Furnishings/Equipment***	***1,000***									
			Continuing Elements												
		8	Police Officers	678	3 Firefighters	350	Road Rehabilitation/Pavement Preserv	6,556	3 Park Maintenance Employees	254	2 Code Compliance Officers	191			
		4	Homeless Assistance: 3 HART, 1 PRO	700	Station Improvements/Equipment	100	* and associated costs		1 Recreation Coordinator	95	Community Cleanup/Abatement for Code Com	100			
		8	Police Cars and Equipment - exp	165	1 Professional Staff	106	3% annual increase		Existing Parks Additional Maintenance	165	City Owned Building Maintenance	315			
		3	Professional Staff	318					Existing Parks Additional Improvements	288					
			Subtotals	8,461		3,466		6,556		803		606	19,892	483	2,351
5	20,783		***New Elements***												
		4	***Police Officers***	***691***	***1 Ladder Truck***	***2,400***									
			Police Cars and Equipment (new & replacements	***870***											
			Professional Staff vehicle replacements (2)	***160***											
		2	***Professional Staff***	***200***											
			Continuing Elements												
		4	Police Officers	691	4 Firefighters	475	Road Rehabilitation/Pavement Preserv	6,753	3 Park Maintenance Employees	254	2 Code Compliance Officers	194			
		4	Homeless Assistance: 3 HART, 1 PRO	713	9 Station #4 Staffing	1,800	* and associated costs		1 Recreation Coordinator	95	Community Cleanup/Abatement for Code Com	100			
		8	Police Cars and Equipment - exp	45	Station Improvements/Equipment	110	3% annual increase		Existing Parks Additional Maintenance	165	City Owned Building Maintenance	324			
		3	Professional Staff	324	1 Professional Staff	108			Existing Parks Additional Improvements	288					
			Public Safety Building debt payment	4,600											
			Subtotals	8,294		4,893		6,753		803		618	21,362	(579)	1,772
5 Year Totals				**39,551**		**19,740**		**31,855**		**4,027**		**2,972**	**98,145**		
			Average Per Year	7,910		3,948		6,371		805		594	19,629		
				40%		20%		32%		4%		3%			
6	21,198		***New Elements***												
					Fire Engine Replacement	***1,250***			***2 Park Maintenance Employees***	***271***					
					Training Facility - Station #2	***750***			***** Equipment/Vehicles Replacements***						
			Continuing Elements												
		8	Police Officers	1,408	4 Firefighters	484	Road Rehabilitation/Pavement Preserv	6,956	3 Park Maintenance Employees	274	2 Code Compliance Officers	198			
		4	Homeless Assistance: 3 HART, 1 PRO	726	9 Station #4 Staffing	1,938	* and associated costs		1 Recreation Coordinator	97	Community Cleanup/Abatement for Code Com	100			
		12	Police Cars and Equipment - exp	245	Station Improvements/Equipment	110	3% annual increase		Existing Parks Additional Maintenance	166	City Owned Building Maintenance	332			
		5	Professional Staff	550	1 Professional Staff	110			Existing Parks Additional Improvements	291					
			Public Safety Building debt payment	5,000											
			Subtotals	7,929		4,642		6,956		1,100		630	21,257	(59)	1,713

CITY OF HANFORD
Initial Spending Plan With Maintenance and Emerging Needs
All Amounts in Thousand
Growth Rate 2%

Year	Revenue Forecast	Units	Police		Fire		Streets		Parks and Community Services		Maintenance & Emerging Needs @ 3%		Total Expenditures	Net gain/(loss)	Economic Uncertainty (15% of revenues, $2,900 min.)
			Plan Elements												
7	21,622		***New Elements***												
			Continuing Elements												
		8	Police Officers	1,434	4 Firefighters	493	Road Rehabilitation/Pavement Preserv	7,164	5 Park Maintenance Employees	440	2 Code Compliance Officers	202			
		4	Homeless Assistance: 3 HART, 1 PRO	739	9 Station #4 Staffing	1,976	* and associated costs		1 Recreation Coordinator	99	Community Cleanup/Abatement for Code Com	100			
		12	Police Cars and Equipment - exp	245	Station Improvements/Equipment	110	3% annual increase		Existing Parks Additional Maintenance	168	City Owned Building Maintenance	341			
		5	Professional Staff	560	1 Professional Staff	112			Existing Parks Additional Improvements	294					
			Public Safety Building debt payment	6,400											
			Subtotals	9,378		2,691		7,164		1,001		643	20,877	745	2,459
8	22,055		***New Elements***												
					1 Firefighter	***120***									
					Small Truck - Type 6 Apparatus Replacer	***500***									
			Continuing Elements												
		8	Police Officers	1,459	4 Firefighters	502	Road Rehabilitation/Pavement Preserv	7,379	5 Park Maintenance Employees	448	2 Code Compliance Officers	205			
		4	Homeless Assistance: 3 HART, 1 PRO	752	9 Station #4 Staffing	2,014	* and associated costs		1 Recreation Coordinator	101	Community Cleanup/Abatement for Code Com	100			
		12	Police Cars and Equipment - exp	245	Station Improvements/Equipment	100	3% annual increase		Existing Parks Additional Maintenance	171	City Owned Building Maintenance	151			
		5	Professional Staff	570	1 Professional Staff	114			Existing Parks Additional Improvements	300					
			Public Safety Building debt payment	6,400											
			Subtotals	9,427		3,350		7,379		1,020		456	21,631	424	2,882
9	22,496		***New Elements***												
					Fire Engine Replacement	***1,250***									
			Continuing Elements												
		8	Police Officers	1,485	5 Firefighters	638	Road Rehabilitation/Pavement Preserv	7,601	5 Park Maintenance Employees	456	2 Code Compliance Officers	209			
		4	Homeless Assistance: 3 HART, 1 PRO	766	9 Station #4 Staffing	2,052	* and associated costs		1 Recreation Coordinator	103	Community Cleanup/Abatement for Code Com	100			
		12	Police Cars and Equipment - exp	245	Station Improvements/Equipment	200	3% annual increase		Existing Parks Additional Maintenance	173	City Owned Building Maintenance	160			
		5	Professional Staff	580	1 Professional Staff	116			Existing Parks Additional Improvements	302					
			Public Safety Building debt payment	6,400											
			Subtotals	9,475		4,256		7,601		1,034		469	22,835	(339)	2,543
10	22,946		***New Elements***												
			Police Vehicles and Equipment (replacements)	***1,480***											
			Professional Staff vehicle replacements (3)	***240***											
			Continuing Elements												
		8	Police Officers	1,510	5 Firefighters	649	Road Rehabilitation/Pavement Preserv	7,829	5 Park Maintenance Employees	464	2 Code Compliance Officers	212			
		4	Homeless Assistance: 3 HART, 1 PRO	779	9 Station #4 Staffing	2,090	* and associated costs		1 Recreation Coordinator	104	Community Cleanup/Abatement for Code Com	100			
		12	Police Cars and Equipment - exp	245	Station Improvements/Equipment	200	3% annual increase		Existing Parks Additional Maintenance	174	City Owned Building Maintenance	170			
		5	Professional Staff	600	1 Professional Staff	118			Existing Parks Additional Improvements	305					
			Public Safety Building debt payment	6,400											
			Subtotals	11,254		3,057		7,829		1,048		482	23,670	(724)	1,819
5 Year Totals for Years 6-10				**47,463**		**17,995**		**36,928**		**5,203**		**2,681**	**110,271**		
			Average Per Year	9,493		3,599		7,386		1,041		536	22,054		
			Total Years 1-10	87,014		37,735		68,783		9,230		5,653	208,416		
Total	210,235			42%		18%		33%		4%		3%	99%		

10 Year Results	**Police**	**Fire**	**Roads**	**Parks and Community Services**	**Maintenance and Emerging Needs**
	8 Police Officers: Patrol	5 New Firefighters	Road Rehabilitation/Pavement Preservation *	5 Park Maintenance Employees	2 Code Compliance Officers
	4 Homeless Assistance: 3 HART, 1 PRO	1 Professional Staff	* and associated costs	1 Recreation Coordinator	Equipment and Vehicles
	12 Police Cars and Equipment	9 Station #4 Staffing	(PCI to 65)	Equipment and Vehicles	Community Cleanup/Abatement for Code Compliance
	5 Professional Staff	Station #4		Equipment and Vehicles Replacements	City Owned Building Maintenance
	Police Vehicle and Equipment Replacements	Station Improvements/Equipment		Existing Parks Additional Maintenance	
	Public Safety Building	Communications Equipment		Existing Parks Additional Improvements	
	1 SWAT, special vehicle	Training Facility			
		Fire Engine (New)			
		Ladder Truck (replacement)			
		Fire Engine (replacements - 2)			
		Small Truck - Type 6 Apparatus Replacement			

RESOLUTION NUMBER 24-21-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF HANFORD ON TUESDAY, NOVEMBER 5, 2024; INTRODUCING ORDINANCE ENACTING A TRANSACTIONS AND USE (SALES) TAX TO BE ADMINISTERED BY THE STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION; AND ORDERING THE SUBMITTAL OF THE ORDINANCE TO THE VOTERS AT THE GENERAL ELECTION

WHEREAS, Revenue and Taxation Code Sections 7251 and following provide for the establishment of transactions and use taxes by cities; and

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 5, 2024; and

WHEREAS, Revenue and Taxation Code Section 7285.9 authorizes the governing board of any city to levy a transactions and use tax for general revenue purposes as required by Sections 7251 and following, in an ordinance approved by a two-thirds vote of all members of the City Council; and

WHEREAS, Section 2(b) of Article XIII C of the California Constitution, added by Proposition 218, effective November 1996, requires that a measure proposing a general tax be submitted to the voters at an election consolidated with a regularly scheduled general election for members of the governing body, except in cases of emergency declared by a unanimous vote of the governing body; and

WHEREAS, the City Council is the governing body for the City of Hanford, and the November 5, 2024, statewide general election will be consolidated with a regularly scheduled general election for members of the City Council; and

WHEREAS, pursuant to California Constitution Article XIII C, Section 2(b) and Elections Code Section 10201, the City Council of the City of Hanford, California desires to submit to the voters of Hanford a measure to enact an ordinance establishing a transactions and use tax to offset state mandates and to maintain and restore essential services; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HANFORD DOES RESOLVE AND PROCLAIM AS FOLLOWS:

Section 1. Calling General Municipal Election: Pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council hereby orders that a general municipal election in and for the City of Hanford shall be held on Tuesday, November 5, 2024 for the purpose of submitting a transaction and use (sales) tax measure. The full text of the proposed City of Hanford Transaction and Use Tax Ordinance of 2024, attached to this Resolution as Exhibit A and incorporated herein by reference, shall be available to voters upon request made to the City Clerk. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

PROPOSITION "__": Essential City Services Protection Measure *To provide funding that would remain local and cannot be taken by the State to preserve/improve essential city services including, police, fire, 911 emergency response, neighborhood police patrols, crime prevention; maintain city streets and parks; address homelessness; improve youth/senior programs; retain local jobs; and other general services, shall City of Hanford enact a 1¢ Transaction and Use Tax (Sales Tax), providing approximately $19,200,000 annually, until ended by voters; requiring annual independent audits and citizens' oversight?*	Yes No

Section 2. Introduction of Ordinance: The City Council hereby approves the Introduction of Ordinance 2024-XX, the City of Hanford Transaction and Use Tax Ordinance of 2024, attached to this Resolution as Attachment A, and approves submittal of such Ordinance to the voters of the City of Hanford. The proposed measure is a general tax as defined in Article XIIIC of the California Constitution and shall not take effect unless and until: (i) approved by a majority of the voters voting on the question at the election; and (ii) approved by a two-thirds vote of the Hanford City Council.

Section 3. Impartial Analysis: The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 4. Requesting Consolidation of Elections: Pursuant to the State of California Elections Code Sections 10400 — 10403.5, the City Council of the City of Hanford hereby requests the consolidation of the general municipal election described in Section 2 above with the statewide general election to be held on November 5, 2024. Within the City of Hanford, the election precincts, polling places, and voting booths shall in every case be the same, and there shall be only one set of election officers in each of the precincts; provided that no person not a qualified elector of the City of Hanford shall be permitted to vote for the measure placed on the ballot by the City Council. The election precincts, polling places, and election officers within the City of Hanford for the general municipal election shall be the same as those selected and designated by the Kings County Registrar of Voters. Per Elections Code Section 10403(a)(3), the consolidated election will be held and conducted in a manner prescribed in Elections Code Section 10418.

Section 5. Requesting Kings County to Render Election Services: The Board of Supervisors of Kings County is hereby requested to permit the County Registrar of Voters to render services to the City of Hanford relating to the conduct of the November 5, 2024, General Municipal Election as follows:

a. Distribute and file all papers submitted in connection with the proposed ordinance.

b. Make all required publications.

c. Prepare, print and mail to the qualified electors of the City of Hanford sample ballots and voter pamphlets. Full text of the ballot measure will be made available upon request at the Hanford City Clerk's Office.

d. Provide vote-by-mail ballots for said Municipal Election for use by the qualified electors who may be entitled to vote by mail ballots in the manner provided by law.

e. Order consolidation of precincts, appoint precinct boards, designate polling places and instruct election officer concerning their duties.

f. Conduct and canvass the returns of the election and certify the votes cast for the proposed measure.

g. Receive and process Vote-By-Mail voter applications.

h. Prepare, print and deliver to the polling places supplies, including the official ballots and a receipt for said supplies.

i. Recount votes, if requested, in accordance with State law.

j. Conduct the above election duties in accordance with the Voting Right Act of 1975.
k. Perform all other pertinent services required to perform for said election other than the requirements of the Fair Political Practices Commission, with said Fair Political Practices Commission requirements to be performed by the City Clerk.

Section 6. Application of State Law: Regarding particulars not recited in this Resolution, the election shall be held and conducted as provided by State law for the holding of municipal elections.

The City Clerk is hereby authorized and directed to transmit certified copies of this Resolution to the Board of Supervisors and to the County Registrar of Voters.

THEREFORE, BE IT FURTHER RESOLVED, the City Council of the City of Hanford hereby approves submission to the voters the question identified above relating to the establishment of the transactions and use tax described above.

Passed and adopted at a regular meeting of the City Council of the City of Hanford duly called and held on July 2, 2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

PASSED, APPROVED AND ADOPTED: _____
TRAVIS PADEN
Mayor

Attest: _____
NATALIE CORRAL, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I, Natalie Corral, City Clerk of the City of Hanford, certify the foregoing is the full and true Resolution 2024-21-R passed and adopted by the Council of the City of Hanford at a regular meeting held on July 2, 2024.

Dated: NATALIE CORRAL, CITY CLERK

Attachment A

Ordinance 2024-XX
City of Hanford Transactions and Use Tax Ordinance of 2024

Ordinance 2024-XX
City of Hanford Transactions and Use Tax Ordinance of 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANFORD IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION, SUBJECT TO ADOPTION BY THE ELECTORATE, TO PROVIDE FUNDS TO: PRESERVE/IMPROVE ESSENTIAL CITY SERVICES, INCLUDING POLICE, FIRE, 911 EMERGENCY RESPONSE, NEIGHBORHOOD POLICE PATROLS, CRIME PREVENTION; MAINTAIN CITY STREETS AND PARKS; ADDRESS HOMELESSNESS; IMPROVE YOUTH/SENIOR PROGRAMS; RETAIN LOCAL JOBS; AND OTHER GENERAL SERVICES

WHEREAS, the City of Hanford's prime responsibilities are to protect the public's safety, maintain fiscal stability, and provide a high quality of life for its residents; and

WHEREAS, over the last several years the State of California has gone from one financial crisis to another with no end in sight; and

WHEREAS, during each of the past several years the State of California has reduced or taken funding from cities, counties and school districts in order to fund its deficits and may continue to do so into the foreseeable future; and

WHEREAS, the State of California has shifted responsibility for many programs back to cities, like Hanford, without the necessary funds to provide the services residents need and expect; and

WHEREAS, the State of California has recently changed its criminal sentencing laws thereby releasing hundreds of parolees into Kings County and negatively impacting the City of Hanford by an increase in crime, substance abuse and homelessness; and

WHEREAS, over the last decade calls to 911 have risen dramatically, and police responded to 47,000 service calls in 2023; and

WHEREAS, Hanford's street funding is currently millions of dollars short of what it needs to properly maintain its more than 200 miles of City streets, with nearly half of Hanford's streets rated as "poor" or worse, and without additional funding streets will continue to deteriorate and future road repairs will become more expensive; and

WHEREAS, the residents have identified their essential city services priorities such as: maintain 911 emergency response times for police and fire service calls, investigate crimes, help attract businesses and jobs, maintain streets and parks, address homelessness, and provide services for youth and seniors; and

WHEREAS, sales and property tax revenues, which have been the significant source of locally controlled funds available to pay for essential City services are limited; and

WHEREAS, the City of Hanford needs dependable and local sources of revenue to fund and to support essential, necessary and appropriate general City services provided to the public; and

WHEREAS, the City's general fund expenditures are projected to outpace revenues in the near future causing the City to be unable to maintain all levels of service and will not have capacity to fund facilities that are necessary to deliver services that the community desires; and

WHEREAS, a local funding measure would provide a protected, local revenue source to limit or prevent additional cuts to essential, necessary and appropriate general City services; and

WHEREAS, this measure requires compliance with the City of Hanford Sales Tax Accountability Ordinance, requiring establishment of annual expenditure plans, citizen oversight and mandatory financial audits to ensure funds will be properly spent; and

WHEREAS, this measure will give the City of Hanford local control over local funds for local needs and no funds from this measure can be taken by Sacramento; and

NOW THEREFORE, the City Council of the City of Hanford does ordain as follows:

Section 1. The following is added as Chapter 3.50 to the Hanford Municipal Code:

Chapter 3.50
ESSENTIAL CITY SERVICES PROTECTION MEASURES TRANSACTIONS AND USE TAX

Sections:

3.60.010 Title.

3.60.020 Operative Date.

3.60.030 Purpose.

3.60.040 Contract with State.

3.60.050 Transactions Tax Rate.

3.60.060 Place of Sale.

3.60.070 Use Tax Rate.

3.60.080 Adoption of Provisions of State Law.

3.60.090 Limitations on Adoption of State Law and Collection of Use Tax.

3.60.100 Permit Not Required.

3.60.110 Exemptions and Exclusions.

3.60.120 Amendments.

3.60.130 Enjoining Forbidden.

3.60.140 Severability.

3.60.150 Effective Date.

3.60.160 Termination Date.

3.60.170 Coordination with Provisions of Sales Tax Accountability Measures Ordinance.

3.60.180 Conflicts and Inconsistencies.

Section 3.50.010. **Title.**

This ordinance shall be known as the Essential City Services Protection Measure Transactions and Use Tax Ordinance. The City of Hanford hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 3.50.020. **Operative Date**.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3.50.030. **Purpose.**

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject

to taxation under the provisions of this ordinance.

Section 3.50.040. **Contract with State.**

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 3.50.050. **Transactions Tax Rate.**

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 3.50.060. **Place of Sale.**

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

Section 3.50.070. **Use Tax Rate.**

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 3.50.080. **Adoption of Provisions of State Law**.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 3.50.090. **Limitations on Adoption of State Law and Collection of Use Taxes.**

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars ($500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

Section 3.50.100. **Permit Not Required.**

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 3.50.110. **Exemptions and Exclusions.**

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 3.50.120. **Amendments.**

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 3.50.130. **Enjoining Collection Forbidden.**

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 3.50.140. **Severability.**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 3.50.150. **Effective Date.**

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

Section 3.50.160. **Termination Date**.

The authority to levy the tax imposed by this ordinance shall not expire, except as may be approved by voters to end the levy of the tax under this Ordinance. In addition, such authority shall be suspended, and no tax levied thereafter, upon the adoption of a resolution directing such suspension by the Council, by a four-fifths vote of the entire Council. The Council shall receive a report no later than ten (10) years following the Operative Date, and every ten (10) years thereafter, regarding the continuing need for the tax imposed by this Ordinance, and upon receiving such report may either take no action, in which case the authority to impose the tax shall continue uninterrupted, or adopt a resolution to suspend this Ordinance by a four-fifths vote of the entire Council. The tax collection would end at the next available quarter, except for residual payments. In any event that this Ordinance is suspended, such authority shall remain suspended unless and until the Council approves a resolution, by four-fifths vote of the entire Council, which it may consider at any time, to reinstate the authority to levy the tax authorized by this Ordinance, which if so adopted shall be effective without submission to the electorate. The collection would resume at the beginning of the next quarter.

Section 3.50.170**.** Coordination **w**ith Provisions **o**f Sales Tax Accountability **Measures Ordinance.**

The expenditure of funds collected pursuant to the tax imposed by this Ordinance shall be subject to the provisions of Hanford Municipal Code Chapter 3.60 Sales and Use Tax Accountability Measures Ordinance.

Section 3.50.180. **Conflicts and Inconsistencies.**

Any provision of the Hanford Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance, except that any existing, duly adopted sales and use tax existing as of date of adoption of this Ordinance shall remain in effect and the sales and use tax imposed by this Ordinance shall be additive thereto.

Section 2. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
TRAVIS PADEN, MAYOR

ATTEST:

_____
NATALIE CORRAL, CITY CLERK

_____
APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I NATALIE CORRAL, City Clerk of the City of Hanford, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the _____ day of _____, 202__, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the ____ day of _____, 202__.

Dated: NATALIE CORRAL, CITY CLERK

Ordinance 2024-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANFORD AMENDING HANFORD MUNICIPAL CODE TITLE 3 TO ADD SALES AND USE TAX ACCOUNTABILITY MEASURES

WHEREAS, the City of Hanford voters have identified that citizen oversight is an essential element to have in place for a revenue measure; and

WHEREAS, the City of Hanford needs dependable and local sources of revenue to fund and to support essential, necessary and appropriate general City services; and

WHEREAS, a local funding measure would provide a protected, local revenue source to limit or prevent additional cuts to essential, necessary and appropriate general City services; and

WHEREAS, the City Council has submitted a measure to the voters of the City of Hanford that would establish a sales tax on transactions within the City of Hanford; and

WHEREAS, if adopted by the voters, the City Council intends that the funds collected pursuant to such measure be subject to certain accountability measures, including planning, oversight, and audit provisions, and therefore desires to establish such accountability measures by adoption of this Ordinance.

NOW, THEREFORE, the City Council of the City of Hanford does ordain as follows:

Section 1. Hanford Municipal Code Title 3 is hereby amended to add Chapter 3.60 as follows:

Chapter 3.60
SALES AND USE TAX ACCOUNTABILITY MEASURES

Sections:

3.60.010 Title.

3.60.020 Applicability.

3.60.030 Initial and subsequent expenditure plans.

3.60.040 Sales Tax Oversight Board.

3.60.050 Annual audit.

3.60.010 Title.
This chapter shall be known as the City of Hanford Sales Tax Accountability Ordinance.

3.60.020 Applicability.
The provisions of this Chapter shall apply to the proceeds of any sales and use tax that is made specifically subject to this Chapter by the ordinance that enacts such sales and use tax.

3.60.030 Initial and subsequent expenditure plans.

A. The City Council shall, prior to the imposition of a transactions and use (sales) tax that is subject to the provisions of this Chapter, adopt, by resolution approved by a majority of the Council, an initial spending plan specifying the uses of the proceeds of the transactions and use (sales) tax. The initial expenditure plan (budget) shall cover the period between implementation of the sales and use tax and the end of the subsequent fiscal year.

B. Prior to expiration of the initial expenditure plan and as part of adoption of an annual city general fund budget, the City Council shall adopt an annual expenditure plan specifying the uses of the proceeds of the sales or use tax that is subject to the provisions of this chapter, applicable to the coming fiscal year.

C. Adoption of the initial expenditure plan, subsequent annual expenditure plans, and amendments to such plans, shall occur by resolution adopted by a majority of the Council, following:

1) submission for comment and recommendation to the Sales Tax Oversight Board as established pursuant to Section 3.60.040, and

2) public hearing occurring at a regularly scheduled and appropriately noticed meeting of the City Council.

D. Following adoption, the city shall make the initial expenditure plan, any subsequent annual expenditure plan (budget), and any amended expenditure plan (budget) publicly available.

E. The initial expenditure plan shall dedicate fifteen percent (15%) of budgeted revenues for the initial year of the plan to establish an economic uncertainty fund, which may only be accessed in times of fiscal emergencies, defined as a deficit in expected revenues such that the other features of the plan are not able to be funded as planned. The Council may direct that the economic uncertainty fund be accessed in order to fund the remainder of the plan in the case of a fiscal emergency, as determined by four-fifths (4/5ths) vote of the City Council as a whole. Annual expenditure plans shall provide for the dedication of such budgeted funds as are necessary to maintain the economic uncertainty fund at fifteen percent (15%) of budgeted revenues and to replenish any amounts used in the event of a fiscal emergency in the prior year.

F. Each expenditure plan shall fund department activities as may be recommended from time to time by the Board and approved by the City Council within the parameters approved by the voters.

3.60.040 Sales Tax Oversight Board.

A. The Council shall appoint a standing oversight committee to constitute the Sales Tax Oversight Board (the "Board").

B. The members of the Board shall serve terms, be selected, and appointed pursuant to a process to be adopted by Council Resolution.

C. Vacancies shall be noticed in a manner consistent with Municipal Code Section 2.20.030. Appointment shall made at the earliest possible date for mid-term vacancies. Vacancies shall be advertised so that any interested city resident may apply.

D. City residency shall be required for all Board members and shall be confirmed by each applicant and each Board member under penalty of perjury. The city may require a Board member to confirm his or her residence throughout the member's term.

E. Board members serve at the pleasure of the city council and may be removed for cause or no-cause. Members may be removed for cause for various reasons, including, without limitation, three (3) consecutive Board meeting absences.

F. The Board shall annually elect a chairperson and vice-chairperson from amongst its members.

G. In accordance with the public meeting laws of the state of California: (i) all meetings of the Board shall be open to the public and noticed; and (ii) minutes of Board meetings shall be kept.

H. Board members shall serve without compensation.

3.60.050 Annual audit.
The city shall provide for an annual independent audit of transactions and use tax measure funds to account for the tax revenues received and expenditures made in relation to the tax that is subject to this chapter, and to ensure consistency with the expenditure plan required by Section 3.60.030. Such audits will be provided to the Sales Tax Oversight Board and publicly available as established by Section 3.60.040.

Section 2. This Ordinance shall take effect thirty (30) days after its adoption and shall be published once in the Hanford Sentinel within fifteen (15) days after its passage or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
TRAVIS PADEN, MAYOR

ATTEST:

_____
NATALIE CORRAL, CITY CLERK

_____
APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I NATALIE CORRAL, City Clerk of the City of Hanford, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the _____ day of _____, 202__, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the ____ day of _____, 202__.

Dated: NATALIE CORRAL, CITY CLERK

RESOLUTION NUMBER 24-21-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF HANFORD ON TUESDAY, NOVEMBER 5, 2024; INTRODUCING ORDINANCE ENACTING A TRANSACTIONS AND USE (SALES) TAX TO BE ADMINISTERED BY THE STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION; AND ORDERING THE SUBMITTAL OF THE ORDINANCE TO THE VOTERS AT THE GENERAL ELECTION

WHEREAS, Revenue and Taxation Code Sections 7251 and following provide for the establishment of transactions and use taxes by cities; and

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 5, 2024; and

WHEREAS, Revenue and Taxation Code Section 7285.9 authorizes the governing board of any city to levy a transactions and use tax for general revenue purposes as required by Sections 7251 and following, in an ordinance approved by a two-thirds vote of all members of the City Council; and

WHEREAS, Section 2(b) of Article XIII C of the California Constitution, added by Proposition 218, effective November 1996, requires that a measure proposing a general tax be submitted to the voters at an election consolidated with a regularly scheduled general election for members of the governing body, except in cases of emergency declared by a unanimous vote of the governing body; and

WHEREAS, the City Council is the governing body for the City of Hanford, and the November 5, 2024, statewide general election will be consolidated with a regularly scheduled general election for members of the City Council; and

WHEREAS, pursuant to California Constitution Article XIII C, Section 2(b) and Elections Code Section 10201, the City Council of the City of Hanford, California desires to submit to the voters of Hanford a measure to enact an ordinance establishing a transactions and use tax to offset state mandates and to maintain and restore essential services; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HANFORD DOES RESOLVE AND PROCLAIM AS FOLLOWS:

Section 1. Calling General Municipal Election: Pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council hereby orders that a general municipal election in and for the City of Hanford shall be held on Tuesday, November 5, 2024 for the purpose of submitting a transaction and use (sales) tax measure. The full text of the proposed City of Hanford Transaction and Use Tax Ordinance of 2024, attached to this Resolution as Exhibit A and incorporated herein by reference, shall be available to voters upon request made to the City Clerk. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

PROPOSITION "__": Essential City Services Protection Measure *To provide funding that would remain local and cannot be taken by the State to preserve/improve essential city services including, police, fire, 911 emergency response, neighborhood police patrols, crime prevention; maintain city streets and parks; address homelessness; improve youth/senior programs; retain local jobs; and other general services, shall City of Hanford enact a 1¢ Transaction and Use Tax (Sales Tax), providing approximately $19,200,000 annually, until ended by voters; requiring annual independent audits and citizens' oversight?*	Yes No

Section 2. Introduction of Ordinance: The City Council hereby approves the Introduction of Ordinance 2024-XX, the City of Hanford Transaction and Use Tax Ordinance of 2024, attached to this Resolution as Attachment A, and approves submittal of such Ordinance to the voters of the City of Hanford. The proposed measure is a general tax as defined in Article XIIIC of the California Constitution and shall not take effect unless and until: (i) approved by a majority of the voters voting on the question at the election; and (ii) approved by a two-thirds vote of the Hanford City Council.

Section 3. Impartial Analysis: The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 4. Requesting Consolidation of Elections: Pursuant to the State of California Elections Code Sections 10400 — 10403.5, the City Council of the City of Hanford hereby requests the consolidation of the general municipal election described in Section 2 above with the statewide general election to be held on November 5, 2024. Within the City of Hanford, the election precincts, polling places, and voting booths shall in every case be the same, and there shall be only one set of election officers in each of the precincts; provided that no person not a qualified elector of the City of Hanford shall be permitted to vote for the measure placed on the ballot by the City Council. The election precincts, polling places, and election officers within the City of Hanford for the general municipal election shall be the same as those selected and designated by the Kings County Registrar of Voters. Per Elections Code Section 10403(a)(3), the consolidated election will be held and conducted in a manner prescribed in Elections Code Section 10418.

Section 5. Requesting Kings County to Render Election Services: The Board of Supervisors of Kings County is hereby requested to permit the County Registrar of Voters to render services to the City of Hanford relating to the conduct of the November 5, 2024, General Municipal Election as follows:

a. Distribute and file all papers submitted in connection with the proposed ordinance.

b. Make all required publications.

c. Prepare, print and mail to the qualified electors of the City of Hanford sample ballots and voter pamphlets. Full text of the ballot measure will be made available upon request at the Hanford City Clerk's Office.

d. Provide vote-by-mail ballots for said Municipal Election for use by the qualified electors who may be entitled to vote by mail ballots in the manner provided by law.

e. Order consolidation of precincts, appoint precinct boards, designate polling places and instruct election officer concerning their duties.

f. Conduct and canvass the returns of the election and certify the votes cast for the proposed measure.

g. Receive and process Vote-By-Mail voter applications.

h. Prepare, print and deliver to the polling places supplies, including the official ballots and a receipt for said supplies.

i. Recount votes, if requested, in accordance with State law.

j. Conduct the above election duties in accordance with the Voting Right Act of 1975.
k. Perform all other pertinent services required to perform for said election other than the requirements of the Fair Political Practices Commission, with said Fair Political Practices Commission requirements to be performed by the City Clerk.

Section 6. Application of State Law: Regarding particulars not recited in this Resolution, the election shall be held and conducted as provided by State law for the holding of municipal elections.

The City Clerk is hereby authorized and directed to transmit certified copies of this Resolution to the Board of Supervisors and to the County Registrar of Voters.

THEREFORE, BE IT FURTHER RESOLVED, the City Council of the City of Hanford hereby approves submission to the voters the question identified above relating to the establishment of the transactions and use tax described above.

Passed and adopted at a regular meeting of the City Council of the City of Hanford duly called and held on July 2, 2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

PASSED, APPROVED AND ADOPTED: _____
TRAVIS PADEN
Mayor

Attest: _____
NATALIE CORRAL, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I, Natalie Corral, City Clerk of the City of Hanford, certify the foregoing is the full and true Resolution 2024-21-R passed and adopted by the Council of the City of Hanford at a regular meeting held on July 2, 2024.

Dated: NATALIE CORRAL, CITY CLERK

Attachment A

Ordinance 2024-XX
City of Hanford Transactions and Use Tax Ordinance of 2024

Ordinance 2024-XX
City of Hanford Transactions and Use Tax Ordinance of 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANFORD IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION, SUBJECT TO ADOPTION BY THE ELECTORATE, TO PROVIDE FUNDS TO: PRESERVE/IMPROVE ESSENTIAL CITY SERVICES, INCLUDING POLICE, FIRE, 911 EMERGENCY RESPONSE, NEIGHBORHOOD POLICE PATROLS, CRIME PREVENTION; MAINTAIN CITY STREETS AND PARKS; ADDRESS HOMELESSNESS; IMPROVE YOUTH/SENIOR PROGRAMS; RETAIN LOCAL JOBS; AND OTHER GENERAL SERVICES

WHEREAS, the City of Hanford's prime responsibilities are to protect the public's safety, maintain fiscal stability, and provide a high quality of life for its residents; and

WHEREAS, over the last several years the State of California has gone from one financial crisis to another with no end in sight; and

WHEREAS, during each of the past several years the State of California has reduced or taken funding from cities, counties and school districts in order to fund its deficits and may continue to do so into the foreseeable future; and

WHEREAS, the State of California has shifted responsibility for many programs back to cities, like Hanford, without the necessary funds to provide the services residents need and expect; and

WHEREAS, the State of California has recently changed its criminal sentencing laws thereby releasing hundreds of parolees into Kings County and negatively impacting the City of Hanford by an increase in crime, substance abuse and homelessness; and

WHEREAS, over the last decade calls to 911 have risen dramatically, and police responded to 47,000 service calls in 2023; and

WHEREAS, Hanford's street funding is currently millions of dollars short of what it needs to properly maintain its more than 200 miles of City streets, with nearly half of Hanford's streets rated as "poor" or worse, and without additional funding streets will continue to deteriorate and future road repairs will become more expensive; and

WHEREAS, the residents have identified their essential city services priorities such as: maintain 911 emergency response times for police and fire service calls, investigate crimes, help attract businesses and jobs, maintain streets and parks, address homelessness, and provide services for youth and seniors; and

WHEREAS, sales and property tax revenues, which have been the significant source of locally controlled funds available to pay for essential City services are limited; and

WHEREAS, the City of Hanford needs dependable and local sources of revenue to fund and to support essential, necessary and appropriate general City services provided to the public; and

WHEREAS, the City's general fund expenditures are projected to outpace revenues in the near future causing the City to be unable to maintain all levels of service and will not have capacity to fund facilities that are necessary to deliver services that the community desires; and

WHEREAS, a local funding measure would provide a protected, local revenue source to limit or prevent additional cuts to essential, necessary and appropriate general City services; and

WHEREAS, this measure requires compliance with the City of Hanford Sales Tax Accountability Ordinance, requiring establishment of annual expenditure plans, citizen oversight and mandatory financial audits to ensure funds will be properly spent; and

WHEREAS, this measure will give the City of Hanford local control over local funds for local needs and no funds from this measure can be taken by Sacramento; and

NOW THEREFORE, the City Council of the City of Hanford does ordain as follows:

Section 1. The following is added as Chapter 3.50 to the Hanford Municipal Code:

Chapter 3.50
ESSENTIAL CITY SERVICES PROTECTION MEASURES TRANSACTIONS AND USE TAX

Sections:

3.60.010 Title.

3.60.020 Operative Date.

3.60.030 Purpose.

3.60.040 Contract with State.

3.60.050 Transactions Tax Rate.

3.60.060 Place of Sale.

3.60.070 Use Tax Rate.

3.60.080 Adoption of Provisions of State Law.

3.60.090 Limitations on Adoption of State Law and Collection of Use Tax.

3.60.100 Permit Not Required.

3.60.110 Exemptions and Exclusions.

3.60.120 Amendments.

3.60.130 Enjoining Forbidden.

3.60.140 Severability.

3.60.150 Effective Date.

3.60.160 Termination Date.

3.60.170 Coordination with Provisions of Sales Tax Accountability Measures Ordinance.

3.60.180 Conflicts and Inconsistencies.

Section 3.50.010. ~~TITLE.~~**Title.**

This ordinance shall be known as the Essential City Services Protection Measure Transactions and Use Tax Ordinance. The City of Hanford hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 3.50.020. ~~OPERATIVE DATE~~**Operative Date**.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3.50.030. ~~PURPOSE.~~**Purpose.**

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions

and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 3.50.040. ~~CONTRACT WITH STATE.~~**Contract with State.**

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 3.50.050. ~~TRANSACTIONS TAX RATE.~~**Transactions Tax Rate.**

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of ~~—~~one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 3.50.060. ~~PLACE OF SALE.~~**Place of Sale.**

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

Section 3.50.070. ~~**USE TAX RATE.**~~**Use Tax Rate.**

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 3.50.080. **Adoption ~~O~~of Provisions ~~O~~of State Law**.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 3.50.090. **Limitations ~~O~~on Adoption ~~O~~of State Law ~~A~~and Collection ~~O~~of Use Taxes.**

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars ($500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

Section 3.50.~~0~~100.**Permit Not Required.**

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 3.50.~~0~~110.**Exemptions ~~A~~and Exclusions.**

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 3.50.~~0~~120.**Amendments.**

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 3.50.~~0~~130.**Enjoining Collection Forbidden.**

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 3.50.~~0~~140.**Severability.**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 3.50.~~0~~150.**Effective Date.**

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

Section 3.50.~~0~~160. **Termination Date**.

The authority to levy the tax imposed by this ordinance shall not expire, except as may be approved by voters to end the levy of the tax under this Ordinance. In addition, such authority shall be suspended, and no tax levied thereafter, upon the adoption of a resolution directing such suspension by the Council, by a four-fifths vote of the entire Council. The Council shall receive a report no later than ten (10) years following the Operative Date, and every ten (10) years thereafter, regarding the continuing need for the tax imposed by this Ordinance, and upon receiving such report may either take no action, in which case the authority to impose the tax shall continue uninterrupted, or adopt a resolution to suspend this Ordinance by a four-fifths vote of the entire Council. The tax collection would end at the next available quarter, except for residual payments. In any event that this Ordinance is suspended, such authority shall remain suspended unless and until the Council approves a resolution, by four-fifths vote of the entire Council, which it may consider at any time, to reinstate the authority to levy the tax authorized by this Ordinance, which if so adopted shall be effective without submission to the electorate. The collection would resume at the beginning of the next quarter.

Section 3.50.~~0~~170. Coordination ~~W~~with Provisions ~~O~~of Sales Tax Accountability **Measures Ordinance.**

The expenditure of funds collected pursuant to the tax imposed by this Ordinance shall be subject to the provisions of Hanford Municipal Code Chapter 3.60 Sales and Use Tax Accountability Measures Ordinance.

Section~~ECTION~~ 3.50.~~0~~180. **Conflicts and Inconsistencies.**

Any provision of the Hanford Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance, except that any existing, duly adopted sales and use tax existing as of date of adoption of this Ordinance shall remain in effect and the sales and use tax imposed by this Ordinance shall be additive thereto.

~~SECTION 3.50.019.~~ Section 2. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
TRAVIS PADEN, MAYOR

ATTEST:

_____
NATALIE CORRAL, CITY CLERK

_____
APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I NATALIE CORRAL, City Clerk of the City of Hanford, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the _____ day of _____, 202__, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the ____ day of _____, 202__.

Dated: NATALIE CORRAL, CITY CLERK

Ordinance 2024-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANFORD AMENDING HANFORD MUNICIPAL CODE TITLE 3 TO ADD SALES AND USE TAX ACCOUNTABILITY MEASURES

WHEREAS, the City of Hanford voters have identified that citizen oversight is an essential element to have in place for a revenue measure; and

WHEREAS, the City of Hanford needs dependable and local sources of revenue to fund and to support essential, necessary and appropriate general City services; and

WHEREAS, a local funding measure would provide a protected, local revenue source to limit or prevent additional cuts to essential, necessary and appropriate general City services; and

WHEREAS, the City Council has submitted a measure to the voters of the City of Hanford that would establish a sales tax on transactions within the City of Hanford; and

WHEREAS, if adopted by the voters, the City Council intends that the funds collected pursuant to such measure be subject to certain accountability measures, including planning, oversight, and audit provisions, and therefore desires to establish such accountability measures by adoption of this Ordinance.

NOW, THEREFORE, the City Council of the City of Hanford does ordain as follows:

Section 1. Hanford Municipal Code Title 3 is hereby amended to add Chapter 3.60 as follows:

Chapter 3.60
SALES AND USE TAX ACCOUNTABILITY MEASURES

Sections:

3.60.010 Title.

3.60.020 Applicability.

3.60.030 Initial and subsequent expenditure plans.

3.60.040 Sales Tax Oversight Board.

3.60.050 Annual audit.

3.60.010 Title.
This chapter shall be known as the City of Hanford Sales Tax Accountability Ordinance.

3.60.020 Applicability.
The provisions of this Chapter shall apply to the proceeds of any sales and use tax that is made specifically subject to this Chapter by the ordinance that enacts such sales and use tax.

3.60.030 Initial and subsequent expenditure plans.

A. The City Council shall, prior to the imposition of a transactions and use (sales) tax that is subject to the provisions of this Chapter, adopt, by resolution approved by a majority of the Council, an initial spending plan specifying the uses of the proceeds of the transactions and use (sales) tax. The initial expenditure plan (budget) shall cover the period between implementation of the sales and use tax and the end of the subsequent fiscal year.

B. Prior to expiration of the initial expenditure plan and as part of adoption of an annual city general fund budget, the City Council shall adopt an annual expenditure plan specifying the uses of the proceeds of the sales or use tax that is subject to the provisions of this chapter, applicable to the coming fiscal year.

C. Adoption of the initial expenditure plan, subsequent annual expenditure plans, and amendments to such plans, shall occur by resolution adopted by a majority of the Council, following:

1) submission for comment and recommendation to the Sales Tax Oversight Board as established pursuant to Section 3.60.040, and

2) public hearing occurring at a regularly scheduled and appropriately noticed meeting of the City Council.

D. Following adoption, the city shall make the initial expenditure plan, any subsequent annual expenditure plan (budget), and any amended expenditure plan (budget) publicly available.

E. The initial expenditure plan shall dedicate fifteen percent (15%) of budgeted revenues for the initial year of the plan to establish an economic uncertainty fund, which may only be accessed in times of fiscal emergencies, defined as a deficit in expected revenues such that the other features of the plan are not able to be funded as planned. The Council may direct that the economic uncertainty fund be accessed in order to fund the remainder of the plan in the case of a fiscal emergency, as determined by four-fifths (4/5ths) vote of the City Council as a whole. Annual expenditure plans shall provide for the dedication of such budgeted funds as are necessary to maintain the economic uncertainty fund at fifteen percent (15%) of budgeted revenues and to replenish any amounts used in the event of a fiscal emergency in the prior year.

F. Each expenditure plan shall fund department activities as may be recommended from time to time by the Board and approved by the City Council within the parameters approved by the voters.

3.60.040 Sales Tax Oversight Board.

A. The Council ~~wi~~shall appoint a ~~seven (7) member~~ standing oversight committee to constitute the Sales Tax Oversight Board (the "Board").

B. The members of the Board shall serve ~~two (2) year~~ terms~~,~~ ~~and may~~ be ~~re~~selected, and appointed pursuant to a process to be adopted by Council Resolution. ~~for up to two (2) additional two (2) year terms for a total of three (3) consecutive two (2) year terms; provided however, for initial Board members who are appointed mid-year, their initial two (2) year terms shall be deemed to have started on January 1 of the following calendar year. Thereafter, at the first~~

~~council meeting in January of each year, the council shall endeavor to fill any vacancies caused by the regular expiration of Board members' terms. Upon expiration of a member's term, the member shall, however, continue to serve until his or her replacement is appointed. No individual, having served the maximum allowable number of consecutive terms may be reappointed to the Board for at least one (1) year from the last date served.~~

~~C. The members of the Board shall be selected in the following manner:~~
~~1. Each city council member shall select one (1) Board member from his or her district; and~~
~~2. The city council shall select two (2) members on an at-large basis.~~

C~~D~~. Vacancies shall be noticed in a manner consistent with Municipal Code Section 2.20.030. Appointment shall made at the earliest possible date for mid-term vacancies. Vacancies shall be advertised so that any interested city resident may apply.

D~~E~~. City residency shall be required for all Board members and shall be confirmed by each applicant and each Board member under penalty of perjury. The city may require a Board member to confirm his or her residence throughout the member's term.

E~~F~~. Board members serve at the pleasure of the city council and may be removed for cause or no-cause. Members may be removed for cause for various reasons, including, without limitation, three (3) consecutive Board meeting absences.

F~~G~~. The Board shall annually elect a chairperson and vice-chairperson from amongst its members.

G~~H~~. In accordance with the public meeting laws of the state of California: (i) all meetings of the Board shall be open to the public and noticed; and (ii) minutes of Board meetings shall be kept.

H~~I~~. Board members shall serve without compensation.

3.60.050 Annual audit.
The city shall provide for an annual independent audit of transactions and use tax measure funds to account for the tax revenues received and expenditures made in relation to the tax that is subject to this chapter, and to ensure consistency with the expenditure plan required by Section 3.60.030. Such audits will be provided to the Sales Tax Oversight Board and publicly available as established by Section 3.60.040.

Section 2. This Ordinance shall take effect thirty (30) days after its adoption and shall be published once in the Hanford Sentinel within fifteen (15) days after its passage or a summary of this ordinance shall be published in the Hanford Sentinel in a manner consistent with the requirements of the California Government Code.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
TRAVIS PADEN, MAYOR

ATTEST:

_____
NATALIE CORRAL, CITY CLERK

_____
APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF HANFORD)

I NATALIE CORRAL, City Clerk of the City of Hanford, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the _____ day of _____, 202__, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the ____ day of _____, 202__.

Dated: NATALIE CORRAL, CITY CLERK

Council Future Agenda Items				
Originated Date	**Item**	**Originator**	**Staff Lead**	**Date Estimate**
6/4/2024	Council discussion of the process to honor retired K9's and options for rescue organizations.	Council Direction	Chief Huddleston	8/6/2024
6/18/2025	Council discussion of the Warrant Registers and direction regarding how to make them easier for the public to access.	Council Direction	Mario Cifuentez	8/6/2024
6/18/2024	Presentation to Council of the conceptual development of the additional acreage at Hidden Valley Park.	Council Direction	Bradley Albert	7/16/2024
6/18/2024	Council discussion of the process to appoint members and other matters related to the Advisory Board for the Central Parking & Business Improvement Area	Council Direction	Various Staff	8/20/2024
6/18/2024	Presentation to Council by the Kings/Tulare Homeless Alliance regarding the 20245 Point in Time count.	Council Direction	Jason Waters	7/16/2024