



City Council Meeting Agenda

December 3, 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/>

5:00 PM CALL TO ORDER STUDY SESSION AND CLOSED 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 regarding the City of Hanford's new online and mobile app citizen reporting tool, "My Hanford".

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (54956.9 (d)(2))

1 Workers Compensation Claim

CALL TO ORDER REGULAR SESSION:

ROLL CALL:

INVOCATION:

Johnny Escalera

FLAG SALUTE:

CLOSED SESSION ACTION REPORT:

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 the title only.
- B. City Clerk: Approval of the Minutes of the October 1, 2024, Meeting
- C. City Clerk: Approval of the Minutes of the November 5, 2024, Meeting
- D. City Clerk: Approval of the Minutes of the November 19, 2024, Meeting
- E. Administration: Approval of the renewal and Authorization for the City Manager to execute the annual Professional Services Agreement with Thorn Run Partners for federal legislative advocacy services, effective January 1, 2025, through Dec. 31, 2025, for a monthly fee of \$5,500.
- F. Utilities and Engineering: Approval to enter into a professional services agreement with Willdan Financial Services (Willdan) to provide a Comprehensive Update to the City's Development Impact Fees and approval to appropriate \$105,600 in various Impact Fee Funds to cover the cost of the contract.
- G. Utilities and Engineering: Approval of the establishment of a pre-qualified list of Architecture and Engineering (A&E) Services Consultants to perform on-call professional services as needed (This pre-qualified list will have a performance period of three years, with the option for two one-year extensions) and Authorization for the City Manager to award contracts to the firms identified herein for on-call architecture and engineering (A&E) or other specialty services as needed on a work order basis for a fee amount not to exceed the City Manager's purchasing authority (\$50K).
- H. Utilities and Engineering: Authorization for the City Manager to execute the purchase of an Internalift Screw Pump for installation at the Wastewater Treatment Facility from Evoqua Water Technologies LLC, in the amount of \$1,499,999.16, and Appropriation of \$1,500,000 from the Wastewater Fund (2073) to cover the cost of the purchase.
- I. Finance: Review and Approval of the Annual Report for Development Impact Fees pertaining to City of Hanford Impact Fees for Parks, Circulation, Fire Protection, Police Protection, Storm Water System, Water System, Wastewater System, and Refuse/Recycling for fiscal year ending June 30, 2024.
- J. Finance: Adoption of Ordinance No. 2024-09, Adding Municipal Code 3.50 City of Hanford Sales and Use Tax Ordinance of 2024

- K. Finance: Adoption of Ordinance No. 2024-10, Adding Municipal Code 3.60 City of Hanford Sales and Use Tax Accountability Measures

PUBLIC HEARING:

- A. Community Development: Zone Text Amendment No. 0007-24: A Public Hearing to accept public comments related to a request to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits. Location: Citywide.

GENERAL BUSINESS:

- A. Finance: Due to the passage of Measure H, Adoption of Resolution 24-45-R, Authorizing City Manager to execute agreements with the California Department of Tax and Administration for implementation of a local transactions and use tax, and Adoption of Resolution 24-46-R for examination of sales or transactions and use tax records
- B. City Attorney: Consideration of a letter submitted by Council Member Lou Martinez in response to complaints filed by City employees.

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:
December 17: Regular City Council Meeting
December 21: Walk with a Doc at Centennial Park 9:00 am - 10:00 am [More Info](#)
December 24-Jan 1: City offices closed in observance of the holidays.

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: 12/3/2024	AGENDA SECTION: STUDY SESSION
--------------------------------	--------------------------------------

SUBJECT:

Presentation regarding the City of Hanford's new online and mobile app citizen reporting tool, "My Hanford".

RECOMMENDATION:

Recommendation: That the City Council receive a presentation regarding the City's new online and mobile app citizen reporting tool, My Hanford, and provide comments to staff as appropriate.

BACKGROUND:

Earlier this year, City staff began researching various Citizen Request Management (CRM) web and mobile platforms in response to Council Member interest in developing a City app. A CRM mobile app will serve two purposes for the City and its residents. First, the app acts as a new way to communicate with citizens. The app's City-branded interface has customizable "buttons," which link to the City's website, calendar, news items, social media pages and more. Second, and perhaps more importantly, it provides citizens with an easy-to-use reporting tool for various issues and ensures their requests are resolved in a timely and efficient manner. The City already has a "report" function for a variety of issues on its website, which can be accessed from the website's homepage on a computer or mobile device. However, this function does not have the same capabilities as a CRM mobile app (dropping a pin on a map, request assignments and tracking, etc.).

Currently, the app has about a dozen request categories. Examples include: Report a Pothole, Report an Animal Control Issue, Report Graffiti on Public Property and Report Broken Playground Equipment. When submitting a request, citizens must identify their location, may upload photo/s if desired, and answer any applicable questions. The requests are then sent to appropriate City staff for resolution. Some requests submitted through My Hanford, such as Report a Code Violation, may be entered and tracked in a separate software program already used by staff. More categories can be added to My Hanford if necessary.

The City engaged in discussions with three potential vendors for the City app: CivicPlus (SeeClickFix), Tyler Technologies, and GOGov. Ultimately, City staff decided it made the most sense to move forward with CivicPlus (SeeClickFix) due to the City's existing relationship with the vendor for its website. To be clear, residents will be able to utilize SeeClickFix as a mobile app, now available on the Apple App Store and Google Play, as well as through the City's website. In other words, residents are not required to download the City app in order to report an issue.

The slated go-live date for the app is December 10, 2024. Prior to launch, City staff will notify residents of the app and its benefits via social media platforms, website posts and a press release.

As the app is rolled out, staff will monitor downloads, usage and metrics related to "resolved" requests.

FISCAL IMPACT:

The City entered a sole-source, one-year agreement with CivicPlus (owner of SeeClickFix) in June of 2024 for a discounted rate of \$16,107.25. Annual recurring services after year one are \$32,214.50, subject to 3% uplift.

ATTACHMENTS:

None



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024	AGENDA SECTION: CONSENT CALENDAR
--------------------------------	---

SUBJECT:

Approval of the Minutes of the October 1, 2024, Meeting

RECOMMENDATION:

Recommendation: Approve the minutes of the October 1, 2024 meeting.

BACKGROUND:**FISCAL IMPACT:****ATTACHMENTS:**

1. 10.1.2024 Minutes



**City Council Regular Meeting
Minutes**

**October 1, 2024 7:00 PM
Council Chambers
400 N. Douty St.**

5:00 PM CALL TO ORDER STUDY SESSION AND CLOSED SESSION:

Vice Mayor Kairis called the study session and closed session to order at 5:00 p.m.

ROLL CALL BY THE CITY CLERK:

Present:	Absent:
Council Member Mark Kairis Council Member Lou Martinez Council Member Martin Devine	Council Member Travis Paden

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.*

Jack Schwartz discussed alternatives for selling Hanford's historic buildings, and provided the council with a handout with his recommendations.

Bob Ramos commented on the old fire station that was torn down. He asked that the discussions about city-owned public buildings be put on hold.

STUDY SESSION:

- A. Presentation Highlighting the History, Condition, and Needs of City-owned Public Buildings with Historic Designations in Hanford's Downtown

Deputy City Manager Jason Waters and Public Works Director Russ Sterling discussed the history, condition, and needs of the city-owned buildings in downtown Hanford. Staff answered questions from the Council. Council Member Martinez suggested holding a public hearing to get feedback from the community. After much discussion, the Council directed staff to bring back future agenda discussions with different options for the historic buildings.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS (GC 54956.8):

Property: 113 Court St. (Court House) APN: 010-265-001-000
Agency Negotiators: Mario Cifuentez and Ty Mizote
Negotiating Party: Kevin Nickell and Jason Carvalho

CALL TO ORDER REGULAR SESSION:

Vice Mayor Kairis called the meeting to order at 7:00 p.m.

ROLL CALL:

Present:	Absent:
Council Member Mark Kairis Council Member Lou Martinez Council Member Martin Devine	Council Member Travis Paden

INVOCATION:

The invocation was led by Pastor Mark Curts.

FLAG SALUTE:

The flag salute was led by Council Member Devine.

CLOSED SESSION ACTION REPORT:

RECOGNITION:

- A. Badge Pinning Ceremony and Oath of Office for the promotion of Battalion Chief Tom McKean.

Fire Chief Perkins introduced Battalion Chief Tom McKean and City Clerk Natalie Corral administered the oath of office.

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).

The Council discussed the meetings and events they attended.

- A. INFORMATION REPORT - WARRANT REGISTER

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.

Mark Pratter commented on ordinance 24-08 and expressed his concerns regarding recent city incidents.

Jack Schwartz thanked the Fire Department for their assistance with the Carnegie Museum's flag and flag pole.

Susan Davis commented on two problematic homeless individuals. She asked for the city's assistance with maintaining the area she lives in.

Rose Shapley commented on Measure H and shared her concerns about the expenditure plan.

Noor Memon complained about the kiosks in Civic Park that were removed. He also asked the City Council to respond to his letter. City Attorney Mizote responded to his comments.

Kimber Regan requested that Consent Item E be tabled. She also commented on the roundabout project.

Bob Ramos commented on the downtown beautification project.

Chris Jordan commented on the Measure H town hall meeting hosted by the Son's of Liberty group. He also expressed his concerns regarding the proposed safety building.

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 Martinez requested to pull Item E. Motion to approve the consent calendar except for the items pulled for separate discussion.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Martin Devine
SECONDER:	Council Member Lou Martinez
AYES:	Mark Kairis, Lou Martinez, Martin Devine
ABSENT:	Travis Paden

- A. Procedural Waiver: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title the only.
- B. Public Works: Approval of a purchase order, in the amount of \$57,915, to Napa Auto Parts for the purchase of a mobile column lift for the Fleet Department.
- C. Public Works: Approval of the Purchase of one (1) bottom dump semi-trailer from American Trailer Company of Fresno, CA in the amount of \$53,193.69.
- D. Utilities and Engineering: Authorization for the advance purchase of Electrical Switchgear for the approximate cost of \$400,000 and Appropriation from the Wastewater Fund required for the proposed Solar Photovoltaic Project at the City's Wastewater Treatment Facility (WWTF) and Authorization to commence negotiations for a sole-source contract with Engie Energy Services U.S. to design and construct energy-related projects at the City's Wastewater Treatment Facility (WWTF) pursuant to California Government Code Section 4217

PULLED CONSENT ITEMS:

- A. Council: Introduction of Ordinance No. 24-06 amending Chapter 3.28 of the Hanford Municipal Code to allow the City Council to designate the board of directors of a private

organization to serve as the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code.

[Item E]

Pulled by Council Member Martinez.

Council Member Martinez asked for clarification and staff responded.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Lou Martinez
SECONDER:	Council Member Martin Devine
AYES:	Mark Kairis, Lou Martinez, Martin Devine
ABSENT:	Travis Paden

GENERAL BUSINESS:

- A. City Attorney: Second Reading and Adoption of Ordinance No. 24-08, Amending Hanford Municipal Code Chapter 12.24 to severely restrict sitting, lying down, and sleeping on public and private properties and the addition of provisions to address camping on private property and prohibiting trespassing on business premises.

City Attorney Mizote presented the ordinance for the Council's review and approval. During the discussion, he addressed the comments made during public comment. Council Member Devine questioned Kings County's ordinance and said he'd like the city's ordinance to mirror theirs. Staff addressed the Council's questions and comments. Vice Mayor Kairis also addressed the public comments about the ordinance.

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

None.

- B. Upcoming Events and Important Dates:

October 5 & 6: Renaissance of Kings Faire 5:00 pm, Civic Park

October 13: Hanford Fire Department Open House 10:00 am - 2:00 pm at Fire Station 1, 350 W. Grangeville Blvd.

October 15: Regular City Council meeting Canceled

October 19: Walk with Doc 9:00 am - 10:00 am at Centennial Park, 1355 W. Hanford Armona Rd.

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}

Vice Mayor Kairis adjourned the meeting at 7:58 p.m.

Respectfully submitted,

Natalie Corral
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Approval of the Minutes of the November 5, 2024, Meeting

RECOMMENDATION:

Recommendation: Approve the minutes of the November 5, 2024 meeting.

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

- 1. 11.5.2024 Minutes



City Council Regular Meeting Minutes

November 5, 2024 7:00 PM
Council Chambers
400 N. Douty St.

4:00 PM CALL TO ORDER STUDY SESSION AND CLOSED SESSION:

Mayor Paden called the study session and closed session to order at 4:00 p.m.

ROLL CALL BY THE CITY CLERK:

Present:	Absent:
Council Member Mark Kairis Council Member Travis Paden Council Member Lou Martinez Council Member Martin Devine	

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.*

Jack Schwartz provided his suggestion on the presented options for the Hanford Marketplace Development Agreement.

Kyle Crocker commented on the proposed Hanford Marketplace Development agreement options.

Bob Ramos commented on the Hanford Marketplace Development agreement and stated it should not be extended.

Dave Ayers commented on the Hanford Marketplace Development agreement and spoke in opposition to extending it.

STUDY SESSION:

- A. Presentation by the Carnegie Museum of Kings County regarding their 2024 Exhibits and Collections and ongoing efforts to restore the Historic Carnegie Library building.

Carnegie Museum Board Member Rob Bently provided an overview of their events and their involvement in the community. He also recognized the Hanford Police Department for their partnership in their events. Mr. Bently answered questions from the Council.

- B. Presentation and Council discussion related to Renewal Options for the Hanford

Marketplace Development Agreement that expires in April 2025

Deputy City Manager Jason Waters provided an overview of the Hanford Marketplace Development Agreement and potential agreement options. He responded to the Council's questions regarding the original agreement and the design requirements. City Attorney Mizote clarified the process involved in completing the necessary improvements. Additionally, Mr. Waters discussed the impact fees. After some discussion, the Council agreed to reevaluate the agreement after the completion of the City's Impact Fee Study.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (54956.9 (d)(2))
3 potential cases.

B. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS (GC 54956.8):

Property: 113 Court St. (Court House) APN: 010-265-001-000

Agency Negotiators: Mario Cifuentez and Ty Mizote

Negotiating Party: Kevin Nickell and Jason Carvalho

CALL TO ORDER REGULAR SESSION:

Mayor Paden called the meeting to order at 7:00 p.m.

ROLL CALL:

Present:	Absent:
Council Member Mark Kairis Council Member Travis Paden Council Member Lou Martinez Council Member Martin Devine	

INVOCATION:

The invocation was led by Sherri Winterowd.

FLAG SALUTE:

The flag salute was led by Vice Mayor Kairis.

CLOSED SESSION ACTION REPORT :

None.

RECOGNITION:

A. Recognition of Associate Engineer Jaklin Hart for receiving the ASCE San Francisco Section 2024 Individual Award for Outstanding Younger Civil Engineer on October 3, 2024.

The City Council presented a certificate of recognition to Associate Engineer Jaklin Hart.

B. Badge Pinning Ceremony and Oath of Office for Officers Manuel Cazares and Bryan

Milligan.

Police Chief Stephanie Huddleston introduced officers Manuel Cazares and Bryan Milligan, and City Clerk Natalie Corral administered the oath of office.

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).

The Council discussed the meetings and events they attended. During this time, City Manager Cifuentez provided an update on the Raise Grant and Hidden Valley Park.

A. INFORMATION REPORT - WARRANT REGISTER

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.

Nick Wagner commented on General Business Item A and shared his concerns regarding the sale of the courthouse.

Judy Scott commented on the sale of the courthouse

Delbert Ray, a resident of Lemoore, provided his background and commented on Blue Door Massage and Spa.

David Guzman stated he does not want to be annexed into the city.

Angelica Garcia provided her background and talked about a community assessment on second-hand smoke.

Rusty Brookshier commented on the proposed sale of the courthouse. He requested the discussion be tabled.

Adam Frankson commented on the Blue Door Massage and Spa. He spoke in support of the business.

Marcie Paleo, a resident of Lemoore, spoke in support of Blue Door Massage and Spa's appeal.

Bob Ramos commented on the sale of the courthouse. He requested the matter be put on hold until the new council members are seated.

Noor Memoon commented on the courthouse. He asked that the city put the kiosk back in Civic Park.

Nancy Howze asked that the sale of the courthouse be postponed.

Dave Ayers provided his background and commented on the sale of the courthouse, he also requested that it be tabled.

Jack Schwartz commented on the proposed sale of the courthouse. He requested the council answer his list of questions.

Onan Champi spoke in support of the sale of the courthouse.

Jim Castleman spoke in support of the sale of the courthouse.

Dennis Ham asked for clarification regarding the sale of the courthouse.

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.

The Council pulled items E, F and H. Motion to approve the consent calendar except for the item pulled for separate discussion.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Mark Kairis
SECONDER:	Council Member Martin Devine
AYES:	Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

- 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: Approval of the Minutes of the August 6, 2024, Meeting
- C. City Clerk: Approval of the Minutes of the August 20, 2024, Meeting
- D. City Clerk: Approval of the Minutes of the September 17, 2024, Meeting
- E. Administration: Approval of Supplemental Services Agreement No. 2 with Brandley Engineering for design engineering services for a new fuel island and fuel tanks for the Hanford Municipal Airport for a contract amount and appropriation in the Airport Fund Not to Exceed \$240,000, to be funded 95% through Federal and State grants.
- F. Community Development: Approval of Historic Resources Permit No. 0015-24, a request by BMO Bank to construct exterior improvements, including a new ramp and step to the entryway door, accessible parking striping, landscape curbs with paving, and an ATM. The property is designated as a noncontributing building within the Historic Overlay Zone. The project is located at 230 W. Seventh Street (APN 012-052-014)
- G. Community Development: Approval of Historic Resources Permit HRA0016-24 to place fencing at the Social Security Administration building. The property is designated as a noncontributing building within the Historic Overlay Zone. The project is located at 330 N. Harris Street (APN 010-276-021).
- H. Parks and Community Services: Sole source authorization to purchase slides from PlayPower LT Farmington, Inc. and Appropriation from the General Fund for \$34,402.13 to replace eight slides at the Freedom Park play structure.
- I. Public Works: Approval of the Notice of Completion for the FY 24 Pavement Resurfacing Treatment Project, with a final project cost of \$329,948.43, and Authorization for the Mayor to execute and the City Clerk to file the Notice with the Kings County Recorder's Office.
- J. Utilities and Engineering: Authorization for the City Manager to approve a contract change order with Synagro West, LLC for the disposal of additional biosolids generated through the wastewater treatment process at the City's Wastewater Treatment Facility in the amount of \$3,549.60 for a revised contract amount of \$53,499.60, to be paid for out

of the Wastewater Enterprise Fund.

- K. Utilities and Engineering: Acceptance of Grant Deed for Right-of-way from Aldar Mini Storage L.P., A California Partnership
- L. Fire: Approval of the donation of a 2003 PIERCE Quantum Type 1 Fire Engine from the City of Clovis.
- M. Council: Approval of the Second Reading and Adoption of Ordinance No. 24-06 amending Chapter 3.28 of the Hanford Municipal Code to allow the City Council to designate the board of directors of a private organization to serve as the Central Parking and Business Improvement Area Advisory Board as required by the Hanford Municipal Code.

PULLED CONSENT ITEMS:

- A. City Manager: Approval of the Holiday Closure of City Offices for 2024 and Authorization for the City Manager to work with Bargaining Units to negotiate the closure in future years.

[Item E]

Pulled by Council Member Martinez for clarification. City Manager Cifuentez responded.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Travis Paden
SECONDER:	Council Member Lou Martinez
AYES:	Mark Kairis, Travis Paden, Martin Devine, Lou Martinez

- B. Administration: Approval of the annual City of Hanford Salary Schedules, pursuant to the California Code of Regulations (CCR) 570.5.

[Item E]

Pulled by Council Member Martinez. City Manager Cifuentez answered his questions.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Lou Martinez
SECONDER:	Council Member Travis Paden
AYES:	Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

- C. Administration: Approval of Amendment No. 4 of the License Agreement between the Carnegie Museum of Kings County and the City of Hanford to extend the term of the agreement until December 31, 2025.

[Item H]

Pulled by Vice Mayor Kairis. City Manager Cifuentez answered questions from the Council.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Mark Kairis

SECONDER: Council Member Martin Devine
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

PUBLIC HEARING:

- A. Utilities and Engineering: Public hearing to accept public input and Adoption of Resolution 24-40-R to Authorize the City's Participation in the California Statewide Communities Development Authority's Statewide Community Infrastructure Program (SCIP).

Mayor Paden opened the public hearing at 8:04 p.m. for both items A and B: a Public Hearing to accept public input and the Adoption of Resolution 24-40-R to Authorize the City's Participation in California Statewide Communities Development Authority's Statewide Community Infrastructure Program (SCIP) and the adoption of the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) Program. Mayor Paden called for the staff reports. Utilities and Engineering Director Frank Senteno presented the staff reports for the Council's review and approval. Staff and the City Attorney answered questions from the Council. Mayor Paden closed the public hearing at 8:27 p.m.

Public Comment:

IN FAVOR:

Tim Dan, a developer, asked a question regarding the program.

OPPOSED:

None.

Motion to approve resolutions 24-39-R & 24-40-R authorizing the adoption and implementation of the BOLD & SCIP Programs within the City's boundaries.

RESULT: Passed (UNANIMOUS)
MOVER: Council Member Mark Kairis
SECONDER: Council Member Martin Devine
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

- B. Utilities and Engineering: Public Hearing and Adoption of the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) Program

Mayor Paden opened the public hearing at 8:04 p.m. for both items A and B: a Public Hearing to accept public input and the Adoption of Resolution 24-40-R to Authorize the City's Participation in California Statewide Communities Development Authority's Statewide Community Infrastructure Program (SCIP) and the adoption of the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) Program. Mayor Paden called for the staff reports. Utilities and Engineering Director Frank Senteno presented the staff reports for the Council's review and approval. Staff and the City Attorney answered questions from the Council. Mayor Paden closed the public hearing at 8:27 p.m.

Public Comment:

IN FAVOR:

Tim Dan, a developer, asked a question regarding the program.

OPPOSED:

None.

Motion to approve resolutions 24-39-R & 24-40-R authorizing the adoption and implementation of the BOLD & SCIP Programs within the City's boundaries.

RESULT: Passed (UNANIMOUS)
MOVER: Council Member Mark Kairis

SECONDER: Council Member Martin Devine
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

- C. Community Development: Appeal No. 006-24, a request by the applicant, Ayla Tidwell, to overturn the decision of the Planning Commission to deny Conditional Use Permit No. 0038-24, a request by Blue Door Massage and Spa to locate a massage therapy business at 1208 N. Douty Street (APN 010-107-004) in the O-R Office Residential zone district.

Mayor Paden opened the public hearing at 8:28 p.m. and called for the staff report. The Vice Mayor recommended that the request for approval be returned to the Planning Commission for review and approval. After a brief discussion, the Council decided to move forward with the appeal review. Senior Planner Gabrielle Myers presented the staff report for the Council's review and approval. Staff answered questions from the Council. Mayor Paden closed the public hearing at 8:43 p.m.

Public Comment:

IN-FAVOR:

Ayala Tidwell, owner of Blue Door Massage and Spa spoke in favor.
Joanne White spoke in favor.
Sherri Winterowd spoke in favor.
Carol Farris spoke in favor
Brenda Tidwell spoke in favor.
Michelle Brown spoke in favor.
Onan Champi spoke in favor

OPPOSED:

None

Motion to Approve.

RESULT: Passed (UNANIMOUS)
MOVER: Council Member Mark Kairis
SECONDER: Council Member Travis Paden
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

GENERAL BUSINESS:

- A. Administration: Approval of Disposition and Development Agreement and Authorization for the Mayor and City Manager to Execute Necessary Documents for the Sale of the County of Kings Courthouse, 113 Court Street, Hanford, California, to Esteem Land Company LLC (DBA Barrelhouse Brewing)

Deputy City Manager Jason Waters discussed the Kings County Courthouse's history and maintenance needs. Co-owners of Esteem Land Company, Jason Carvalho and Kevin Nickell, shared their past project experiences and the plans for the courthouse. City Manager Cifuentez noted the courthouse is surplus property. Vice Mayor Kairis, Mayor Paden and Council Member Devine expressed their support for the agreement. Staff and both Mr. Nickell and Mr. Carvalho answered questions from the Council. After some discussion, Council member Devine made the motion to approve.

RESULT: Passed (UNANIMOUS)
MOVER: Council Member Martin Devine
SECONDER: Council Member Travis Paden
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

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

None.

B. Upcoming Events and Important Dates:

November 11: City offices will be closed in observance of Veterans Day

November 16: Walk with a Doc at Freedom Park 9:00am -10:00am [More info.](#)

November 19: 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}

Mayor Paden adjourned the meeting at 9:42 p.m.

Respectfully submitted,

Natalie Corral
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Approval of the Minutes of the November 19, 2024, Meeting

RECOMMENDATION:

Recommendation: Approve the Minutes of the November 19, 2024 Meeting.

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

- 1. 11.19.2024 minutes



City Council Regular Meeting Minutes

November 19, 2024 7:00 PM
Council Chambers
400 N. Douty St.

5:00 PM CALL TO ORDER STUDY SESSION AND CLOSED SESSION:

Mayor Paden called the study session and closed session to order at 5:00 p.m.

ROLL CALL BY THE CITY CLERK:

Present:	Absent:
Council Member Mark Kairis Council Member Travis Paden Council Member Lou Martinez Council Member Martin Devine	

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.*

Dave Ayers commented on the approval of Measure H.

Anna Brookshier expressed her concerns regarding the tax measure spending plan.

Jack Schwartz commented on the Carnegie Museum's car show event and possibly incorporating the celebration of the 100th anniversary of the Civic Auditorium.

STUDY SESSION:

- A. Informational Report on Measure H Transactions and Use Tax Ordinance Adoption, Accountability Measures Ordinance Adoption and Authorization schedule for submission of necessary documents to the California Department of Tax and Fee Administration

Finance Director Chris Tavarez provided an overview of Measure H, the implementation timeline, and the next steps. He also discussed the formation of an advisory board, budgeted expenditures, and projects. Dir. Tavarez also pointed out an error in the table of contents in Ordinance 24-09. Staff answered questions from the Council. Mayor Paden thanked staff for all their hard work on Measure H. The presentation was for informational purposes only. Staff will bring back a future discussion regarding forming an advisory board.

- B. Council discussion of the celebration for the 100th Anniversary of the Civic Auditorium

and consideration of a committee to plan those events.

Parks and Community Services Director Brad Albert discussed the celebration of the 100th anniversary of the Civic Auditorium for the Council's review and input. Mayor Paden expressed his concerns about the presented dates for a possible celebration. He stated that the availability of the Civic Auditorium has conflicting dates. Council Member Devine and Vice Mayor Kairis supported allowing a committee to plan the event. Council Member Martinez would like to incorporate the celebration with the Thursday Night Market. The Council directed staff to put out a survey for public input and bring it back for review after the new council members are seated.

Mayor Paden adjourned the study session at 6:06 p.m.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (54956.9 (d)(2))
2 Potential Cases.
- B. CONFERENCE WITH LEGAL COUNSEL-PROPERTY NEGOTIATORS (GC 54956.8)
Property: 1401 Greenfield Ave. APN 010-036-0010
Agency Negotiators: Mario Cifuentez and Ty Mizote
Negotiating Party: Whitney Britton

CALL TO ORDER REGULAR SESSION:

Mayor Paden called the meeting to order at 7:09 p.m.

ROLL CALL:

Present:	Absent:
Council Member Mark Kairis Council Member Travis Paden Council Member Lou Martinez Council Member Martin Devine	

INVOCATION:

The invocation was led by Pastor Tyler Jones.

FLAG SALUTE:

The flag salute was led by Mayor Paden.

CLOSED SESSION ACTION REPORT:

None.

RECOGNITION:

- A. Recognition of all the residents of Hanford for exercising their rights as voters on election day and a special recognition of Victor Chavarin Jr. for his leadership of the Yes on Measure H Committee.

The City Council presented Victor Chavarin Jr. with a certificate of recognition for his leadership of the Yes on Measure H Committee.

B. Recognition of PAL Boxers winners for the 2024 Southern California International Champions and 2024 Halloween Rumble Champions

Police Chief Huddleston introduced the PAL Boxers Title Winners and presented them with certificates of recognition.

2024 Southern California International Champions

Aiden Avila
Noel Mejia
Zayden Hernandez
Leonard Mendoza

2024 Halloween Rumble Champions

Raymond Coronado
Aiden Avila
Noel Mejia
Zayden Hernandez
Eddie Alvarez
David Vale
Adrian Arriola

C. Recognition of November 30, 2024, as Small Business Saturday and Presentation of a Proclamation to Main Street Hanford for their efforts in supporting all small Businesses in the Downtown District.

Mayor Paden presented the Small Business Saturday proclamation to Main Street Hanford's Executive Director, Michelle Brown.

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).

The Council discussed the meetings and events they attended.

A. INFORMATION REPORT - OCTOBER WARRANT REGISTER

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.

Lorna Martinez expressed her concerns about the homeless people living in her neighborhood. She asked the city to help her. Mayor Paden responded to her comments.

Jack Sschwartz commented on the General Business Item A and expressed his concerns regarding the conditions listed in the proposed policy.

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.

Item F was requested to be pulled by staff. Motion to approve the consent calendar except for the items pulled for separate discussion.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Martin Devine
SECONDER:	Council Member Mark Kairis

AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

- A. Procedural Waiver: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading the title only.
- B. Utilities and Engineering: Approval of Final Map, Subdivision Agreement and acceptance of Easements for D.R. Horton, Billingsley Tract No. 937, near the Southwest corner of Hanford-Armona Road, and Aquifer Drive and Authorization for the City Manager to execute and the City Clerk to record said documents with the Kings County Recorder's Office for the purpose of accepting the easements.
- C. Utilities and Engineering: Approval of Final Parcel Map, Subdivision Agreement and acceptance of Easements and dedications offered for public use of Apple Circle near the Southwest corner of Woodland Drive and Parkside Drive and Authorization for the City Manager to execute and the City Clerk to record said documents with the Kings County Recorder's Office for the purpose of accepting the easements.
- D. Utilities and Engineering: Authorization for the City Manager to sign a Grant of Easement from the City of Hanford to Southern California Edison for electrical services located within the Lennar Homes Tract 934, located at the Southeast corner of Grangeville Boulevard and 13th Avenue. A 11'x30' easement will be located on Outlot "A" on the north side of West Ella Street and another 7'x54' easement located on Outlot "C" on the west side of North Frontier Street.
- E. Finance: Authorization for the General Fund to forgive the outstanding Courthouse Fund debt of \$1,250,706 for past improvements and maintenance costs.
- F. Finance: Introduction of Ordinance No. 2024-10, Adding Municipal Code 3.60 City of Hanford Sales and Use Tax Accountability Measures
- G. Finance: Acceptance and authorization for staff to File the City of Hanford's Quarterly Investment Portfolio and Transactions Reports as of 09/30/2024.

PULLED CONSENT ITEMS :

- A. Finance: Introduction of Ordinance No. 2024-09, Adding Municipal Code 3.50 City of Hanford Transactions and Use Tax Ordinance of 2024

[Item F]

Pulled by Finance Director Tavaréz.

Dir. Tavaréz discussed the error in the table of contents. It will be corrected and presented to the Council on December 3, 2024.

Motion to approve as amended.

RESULT: Passed (UNANIMOUS)
MOVER: Council Member Martin Devine
SECONDER: Council Member Lou Martinez
AYES: Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

GENERAL BUSINESS:

- A. Public Works: Approval of the City's formal Temporary Street Closure Permit policy to ensure safe, organized, and efficient temporary street closures for community events, including block parties and neighborhood gatherings. This policy provides a clear process for residents and organizations to apply for and receive permission to temporarily close streets, ensuring proper planning, coordination, and notification for each event.

Deputy City Manager Jason Waters discussed the permit policy for the Council's review and approval. Staff addressed some of the concerns mentioned during public comment and answered questions from the Council. After some discussion, the Council provided their input.

Motion to Approve.

RESULT:	Passed (UNANIMOUS)
MOVER:	Council Member Martin Devine
SECONDER:	Council Member Travis Paden
AYES:	Mark Kairis, Travis Paden, Lou Martinez, Martin Devine

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

None.

- B. Upcoming Events and Important Dates:

November 23: Hanford Winter Wonderland begins and is open through January 12, 2025. [More info & tickets](#)

December 3: Regular City Council Meeting

December 17: 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}

Mayor Paden adjourned the meeting at 8:01 p.m.

Respectfully submitted,

Natalie Corral
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Approval of the renewal and Authorization for the City Manager to execute the annual Professional Services Agreement with Thorn Run Partners for federal legislative advocacy services, effective January 1, 2025, through Dec. 31, 2025, for a monthly fee of \$5,500.

RECOMMENDATION:

Recommendation: That the City Council, by motion, Renew the Annual Contract and Authorize the City Manager to execute the annual Professional Services Agreement with Thorn Run Partners for federal legislative advocacy services, effective January 1, 2025, through Dec. 31, 2025, for a monthly fee of \$5,500.

Recommended Motion:

BACKGROUND:

Greg Burns of Thorn Run Partners (TRP) has been the City's federal lobbyist since Early 2021.

Thorn Run partners was founded in 2010 as a Bipartisan lobby shop and has grown to a 35-person government affairs and strategic communications firm. TRP represents over 35 local governments in CA, FL, KS, OR, and TX and has represented some for almost 20 years. Their clients include large and urban communities to small, rural areas. In California, they currently represent Pismo Beach, Visalia, and Del Norte County. They handle a wide variety of complex issues and projects.

During 2024, Greg Burns and the rest of his firm worked with staff on several Federal matters. They worked with staff on the submittal of the City's RAISE grant, which didn't receive an award but was recognized as a "Project of Merit", which qualified to be resubmitted this year. The City will be notified in January if we are awarded that grant. Additionally, they have been instrumental in several grant debriefs, which are instrumental in educating staff on the elements of previously submitted grant applications that need to be amended for the application to have a better chance of funding in future funding cycles.

More importantly, their efforts to gain bipartisan support in both the House and Senate resulted in the inclusion of a FY23 appropriation of \$541k and a FY24 appropriation of over \$7.3mil to fund improvements at the Veteran's Building and the remainder of the East Lacey corridor improvements, respectively. Additionally, they have advised staff on a variety of other grant opportunities and other legislative issues of importance.

Mr. Burns and Thorn Run Partners have been very responsive and proven to be valuable partners in the City's efforts to establish contacts and gain insights from various federal agencies and officials on

matters affecting the City. The City Manager, Mario Cifuentes, works directly with Mr. Burns and Thorn Run staff on federal legislative matters and their work warrants the renewal of this annual contract.

FISCAL IMPACT:

The annual cost of the contract, \$66,000, is already included in the City Manager's budget as part of the 2024/25 Council-adopted budget.

ATTACHMENTS:

1. Hanford - TRP Agreement 2025



**AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN
THE CITY OF HANFORD, CALIFORNIA AND
THORN RUN PARTNERS, LLC**

The following is an agreement between the City of Hanford, California, hereinafter referred to as “City”, and the firm THORN RUN PARTNERS LLC, a Washington, DC based firm, hereinafter referred to as “TRP”.

WHEREAS, TRP has duly qualified experts in the field of Federal budget and appropriations processes, grant programs, and regulatory and legislative issues; and

WHEREAS, in the judgment of the City, it is necessary and desirable to employ the services of the TRP to assist the City with advocating before the Federal government on its behalf.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

PART I - SPECIFIC PROVISIONS

- A. GENERAL SCOPE OF WORK: TRP will advise and provide Federal government relations services to the City on issues as listed below in Subsection B, and work with appropriate policy makers in the United States Legislative Branch and Executive Branch to facilitate the City’s agenda.
- B. SERVICES TO BE PROVIDED: TRP will advocate for, pursue, consult, and advise, as requested, on Federal budget and appropriations processes, Federal grant program and Federal regulatory matters including, but not limited to:
 - 1. Obtaining Federal funding for the City’s priority projects and programs;
 - 2. Maintaining direct and frequent contact with key United States Senators and Representatives; and
 - 3. Advocating for the City’s interests during the United States legislative and regulatory process.
- C. PAYMENT: TRP’s compensation for the services provided hereunder shall be \$5,500 per month. The monthly fee invoice shall be submitted by TRP at the first of each month, beginning on January 1, 2025. The monthly fee shall be inclusive of all expenses.
- D. KEY PERSONNEL: TRP has represented to the City that Greg Burns will serve as the principal of TRP’s services, in the performance of TRP’s duties hereunder, and has relied on that representation as an inducement to entering into this Agreement.

PART II - GENERAL PROVISIONS

- A. ASSIGNMENT AND DELEGATION: Except as above, neither party hereto shall assign or delegate any interest in or duty under this Agreement without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
- B. STATUS OF TRP: The parties intend that TRP, in performing the services hereinafter specified, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. TRP is not to be considered an agent or employee of the City and is not entitled to participate in any pension plan, insurance, bonus or similar benefits the City provides its employees.

- C. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS AND MAKING PAYMENTS: All notices, bill, and payments shall be made in writing and may be given by personal delivery, by mail or by e-mail. Notices, bills and payments shall be addressed as follows:

City of Hanford:
Mario Cifuentez
City Manager
315 North Douty Street
Hanford, CA 93230
mcifuentez@cityofhanfordca.com

TRP:
Greg Burns
Thorn Run Partners, LLC
100 M Street, SE – Ste. 750
Washington, DC 20003
gburns@thornrun.com

- D. NON-DISCRIMINATION: TRP shall comply with all applicable federal, state and local laws, rules and regulations regarding nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, age, marital status, medical condition, or physical or mental disability.
- E. TERMS OF AGREEMENT: This Agreement shall be effective on January 1, 2025 and shall terminate on December 31, 2025, or upon 30 day's written notice by either party with or without cause. The agreement may be extended by mutual agreement of both parties.
- F. ENTIRE AGREEMENT: This Agreement constitutes the entire agreement between the parties and supersedes all prior oral or written agreements. No waiver, modifications, additions, or addendum to this Agreement shall be valid unless in writing and signed by both the TRP and the City.

WHEREOF, the parties hereto have caused this Agreement to be executed this _____ day of _____.

CITY OF HANFORD, CALIFORNIA

By: _____
Mario Cifuentez, City Manager

THORN RUN PARTNERS, LLC

By: 
Greg Burns, Partner



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024	AGENDA SECTION: CONSENT CALENDAR
--------------------------------	---

SUBJECT:

Approval to enter into a professional services agreement with Willdan Financial Services (Willdan) to provide a Comprehensive Update to the City's Development Impact Fees and approval to appropriate \$105,600 in various Impact Fee Funds to cover the cost of the contract.

RECOMMENDATION:

Recommendation:

That the City Council:

1. Authorize the City Manager to enter into a professional services agreement with Willdan to provide a C amount of \$78,600;
2. To authorize the City Manager to approve any contract amendments within the project budget; and
3. Approve the appropriation of \$105,600 from various Impact Fee Accounts as shown herein in this report.

Recommended Motion:

I move to authorize the City Manager to enter into a professional services agreement with Willdan to provide amount of \$78,600 and to approve the appropriation of \$105,600 from various the Impact Fee Accounts as s

BACKGROUND:

In 2017, the City adopted a new General Plan for the planned and orderly development of the City. In conjunction and updated Utility Master Plans (Water, Sewer, and Storm Drain) also in 2017. Following the completion of subsequently adopted in November of 2019; this is the current DIF in place.

The City's DIF program is to ensure that new development pays the capital costs associated with their growth impact on infrastructure. In accordance with the provisions of the Mitigation Fee Act (Government Code 66000) towards infrastructure or facility needs (new or expanding existing capital facilities) created by new development contributed in part by new development. Costs for improvements that will serve the needs of both new and existing development are attributable to each. Costs for Capital projects or facilities to meet the existing populace must be funded using other sources.

Note that developmental growth also imposes added operating costs which are not funding with DIF's. There are costs from new development to fund operations (I.E., Lighting and Landscape Districts, and now Community Facilities) necessary for the City to fund and expand the required infrastructure as new development creates increases in demand.

The DIF amount must be reasonably connected (have a nexus) to the new development's impact and the associated costs.

justified by specific findings that clearly establish this connection. Additionally, the fee must be set in a way that reflects the improvement it is intended to fund.

As previously mentioned, the City’s current Development Impact Fee program was adopted in November 2007. The adoption of AB602 that establishes added requirements to the Mitigation Act requires the City to update its DIF program as appropriate and necessary to initiate a comprehensive update to the City’s DIF program as the current impact fees are no longer improvements at the time, much less today.

The City currently assesses impact fees on new residential, commercial, and industrial development that are subject to the following:

- Parks and Recreation Facilities
- Fire Facilities
- Police Facilities
- Wastewater Collection and Treatment & Disposal Facilities
- Storm Drain Facilities
- Refuse/Recycling Facilities
- Circulation (Transportation) Facilities
- Water Supply, Treatment, and Storage Facilities

Generally speaking, Willdan will be evaluating each of the above listed fees and then update each in consideration of future projections, and look at other supporting infrastructure or operational services that could justifiably be added to the City’s DIF program.

The Utility Master Plan update is currently underway. Staff is currently assisting to provide all necessary background information since the last update (2017). This is typically the most time-consuming and critical path of the Master Plan update. To complete his DIF Study, is the development of a prioritized CIP List and accompanying cost estimates. The City will be reviewing the above.

A copy of Willdan’s scope of work and fee is attached in this report.

Selection Process:

Staff published a request for proposals (RFP) for a Comprehensive Development Impact Fee Study beginning in January 2024 in response to the advertised Request for Proposals, RFP 2024-20. The following firms submitted proposals:

<u>Firms</u>	<u>Location</u>	
1. David Taussig and Associates (DTA)	San Jose, CA	
2. Willdan Financial Services	Oakland, CA	A four-person proposal review committee ranked the proposals.
3. RCS	Fullerton, CA	review committee ranked the proposals.
4. QK	Hanford, CA	interviews. Interviews of the panel.

Following the panel’s evaluation of the interviews, staff identified DTA as the most qualified candidate and submitted a recommendation to the Council Meeting. However, DTA took exception to requirements within the City Standard Agreement’s Indemnification provision leaving both parties to mutually agree to withdraw from further engagement.

As previously mentioned, Willdan was also highly ranked following the interview process. Favorable feedback was received from the City’s Engineering Department. References included the Cities of Pismo Beach and Fillmore California. City of Hanford Staff are also satisfied with the City’s Lighting and Landscape Assessment Districts and is currently assisting Engineering in the development of the City’s DIF program.

Willdan is rated highly qualified due to their portfolio of DIF Nexus Studies performed as well as their longstanding relationship with the City.

Based on the above information, Staff recommends the award of the Comprehensive Development Impact F

FISCAL IMPACT:

The Fee Update will be funded using the impact fee program sources listed above. Estimated fees for the St 35% contingency at this time since it anticipates additional services beyond what is included in their scope.

Additional scope will identified as the consultant and staff progress further into the study. Other additional se to the impact fee program, project cost estimating, and performing a land value study. Any additional work w

The total project budget including contingency is \$105,600. Below is the budget allocation amongst the parti

Available Funding:

Fire Facilities (Fund 0182)	\$13,200
Police Facilities (Fund 0183)	\$13,200
Parks and Recreation Facilities (Fund 0180)	\$13,200
Circulation (Transportation) Facilities (Fund 0181)	\$13,200
Refuse/Recycling Facilities (Fund 0187)	\$13,200
Storm Drain Facilities (Fund 0184)	\$13,200
Wastewater Collection and Treatment & Disposal Facilities (Fund 0186)	\$13,200
Water Supply, Treatment, and Storage Facilities (Fund 0185)	<u>\$13,200</u>
<i>Total Available Budget:</i>	<i>\$105,600</i>
<u>Estimated Project Costs</u>	
Willdan Financial Services (Per submitted fee):	\$78,600
Project contingency:	<u>\$27,000</u>
<i>Total Estimated Project Costs:</i>	<i>\$105,600</i>
<i>Budget Surplus (Deficit)</i>	<i>\$0</i>

This Study is currently unfunded, therefore an appropriation in the amount of \$105,600 is requested to do the amounts amongst the various participating Development Impact Fee accounts as listed in the above budget

ATTACHMENTS:

1. Willdan DIF Proposal

CITY OF HANFORD

CALIFORNIA

Comprehensive Development Impact Fee Study



Cover Letter

June 18, 2024

Ms. Lisa Valencia
Purchasing Agent
City of Hanford
319 N Douty Street
Hanford, CA 93230

Re: *Proposal to Conduct a Comprehensive Development Impact Fee Study for the City of Hanford*

Dear Ms. Valencia;

Willdan Financial Services ("Willdan") is pleased to present this proposal to the City of Hanford ("City") to conduct a comprehensive development impact fee study. Willdan's project approach helps to ensure the preparation of an impact fee study that will withstand technical challenges and public scrutiny. Given Willdan's unmatched impact fee experience, we are particularly well positioned to serve the City and help achieve established long-term goals. Outlined below are the advantages and benefits that Willdan will provide to the City.

Unmatched experience implementing and defending fee programs. Willdan's impact fee staff has assisted more than 100 California government agencies with the development and/or update of all fee types and is fortunate to be in a position that will provide a tremendous benefit to the City. Each project has required defensible documentation and thorough coordination of fee program changes for different agency departments and stakeholders within the business community. In some cases, Willdan has been required to negotiate fees with stakeholders and, on occasion, defend them in meetings and public forums.

We are particularly strong in advising our clients on the advantages and disadvantages of different fee schedule structures (citywide versus multiple-fee districts/zones; more versus fewer land-use categories; etc.) and methods of fee calculation that are based on the City's and stakeholder priorities. Impact fees also need to be developed in compliance with the *Mitigation Fee Act* (California Government Code Section 66000 et seq., also known as Assembly Bill 1600) so that they are defensible and transparent. We are also current on the changes to fee programs and the adoption of nexus studies resulting from AB 602, which took effect in 2022.

Innovative Methodologies. As Willdan operates nationally, we possess unique experiences in numerous jurisdictions dealing with multiple challenges. Our ability to produce studies that accommodate various options and viewpoints ensures fair-minded and sensible projects. Our methodology and approach to impact fees has proven to be effective for Cities and Counties, the development community, and the public. Utilizing focus groups, with established guidelines, during the study, fully informs the development community and the public of the justification of the impact fees, and their positive effect on community growth.

Best-in-class impact fee team that can work immediately to prepare an impact fee program. The Willdan team begins a project by evaluating the agency's existing fee program, if available, and current capital planning policies and funding programs. Not all capital projects are amenable to funding from impact fee programs, and we identify sources that complement fee revenues to fully fund the capital improvement program. The team's Principal-in-Charge James Edison and Project Manager Carlos Villarreal are well respected by our clients for their skill in proactively organizing a clear, consensus-based project approach.

Successful project completion. Willdan has successfully completed many development impact fee studies, including most recently in the ***Cities of Santa Paula, Bell Gardens, Pomona, Fountain Valley, Rialto, Murrieta, McFarland, Riverbank, Morgan Hill, Hollister, Pismo Beach, and Santa Clara.*** These fee programs were approved by their respective Councils.

Experience Working With the City of Hanford and Kings County —Willdan has worked with the City of Hanford to provide services for the ongoing assessment district engineering and administration of the City's 43 Landscaping and Lighting Assessment Districts and in 2022, Willdan was retained by Kings County to complete a Development and Building Facilities Impact Fee Study. Through this work, and our work in neighboring cities mentioned above, we have familiarity with Hanford and the surrounding cities. Where possible, we will utilize our relationships with City Staff and knowledge of the community to facilitate this project as efficiently and cost-effectively as possible.

We are excited about this opportunity to use our skills and expertise to serve the City of Hanford. To discuss any aspect of this submittal, please contact Managing Principal James Edison, who will serve as the primary contact for this proposal, his information is provided in the table below.

Contact Information
Proposal Contact
James Edison, JD, MPP Managing Principal 66 Franklin Street, Suite 300, Oakland, CA 94607 Tel#: (800) 755-6864 Email: JEdison@Willdan.com

As a Vice President of Willdan Financial Services, I am authorized to bind the firm to the terms of this proposal, as well as the subsequent agreement.

Sincerely,

WILLDAN FINANCIAL SERVICES



Chris Fisher
Vice President / Director



Table of Contents

Cover Letter.....	i
A. General Information	1
B. Proposed Project Approach	2
Project Understanding.....	2
Summary of Approach.....	3
Scope of Work	6
Staff Support.....	10
C. Staff Qualifications and Experience	13
Key Staff Members	13
James Edison, JD, MPP	14
Carlos Villarreal, MPP	15
D. Related Experience.....	16
Firm Profile	16
Recent Studies	17
References	19
E. Project Timeline	20
F. Proposed Fee Structure and Schedules.....	Under Separate Cover
G. Conflict of Interest.....	22
Required Forms.....	23
Attachment 1: Non-Collusion Affidavit	23
Attachment 2: Workers' Compensation Insurance Certificate	25
Attachment 3: EEO Compliance Certificate	26
Attachment 4: Americans with Disabilities Act Compliance Certificate	27
Attachment 5: CA Ownership Disclosure for Contractors and Consultants	28
Attachment 6: Drug-Free Workplace Certification.....	29
Attachment 7: Iran Contracting Act Certification	30
Attachment 8: California Levine Act Statement.....	31

A. General Information

The requested information is noted in the table below.

Willdan Financial Services		
Company Information		
Legal Name	Willdan Financial Services 27368 Via Industria, Suite 200 Temecula, California 92590 (951) 587-3500 Fax (951) 587-3510	
Type of Entity	Willdan Financial Services is a “C” Corporation.	
FEIN ID	33-030-2345	
Business Entity Status	Willdan is a corporation, incorporated in the State of California, of which, the parent company is Willdan Group Inc. (WGI).	
Account Representative	Mr. James Edison, Managing Principal 66 Franklin Street, Suite 300 Oakland, CA 94607 (800) 755-6864 JEdison@Willdan.com	
Company Headquarters	The principal office for the City of Hanford engagement will be the Willdan Financial Services headquarters in Temecula, CA.	
Hours of Operation	Willdan Financial Services operates on standard business hours, 8:00 AM to 5:00 PM, Monday through Friday, closed on major holidays.	
Current Number of Employees	82 professionals	
Sub-consultants	We will not require the assistance from another firm to complete the tasks included within the City’s RFP.	
Business License	Willdan Financial Services does not currently hold a business license in the City of Hanford, upon contract execution a business license will be acquired.	
Hanson Proposed Project Team	Willdan has assembled a project team of two (2) full time subject matter experts to conduct the City of Hanson Fee Study engagement. The proposed project team maintains many years of experience providing Financial Consulting Services; the project team’s key resources are comprised of the following individuals: - Mr. James Edison, Managing Principal – Project Manager - Mr. Carlos Villarreal, Principal Consultant – Lead Consultant	
Company Officers		
Thomas D. Brisbin Chairman of the Board	Mark J. Risco President and CEO	Creighton K. Early Chief Financial Officer
Chris Fisher Vice President / Group Director	Gladys Medina Vice President / Group Director	
Dan Jackson Vice President	Jason Gray Vice President	Jeff McGarvey Vice President
Josephine Moses Vice President/Assistant Director	Kate Nguyen Secretary	Rebekah Smith Assistant Secretary

B. Proposed Project Approach

This section outlines Willdan Financial Services' ("Willdan") understanding of the situation surrounding the City of Hanford's ("City") desire to conduct a development impact fee study, as well as identify the project objectives and discusses the background regarding public facilities financing in California. Also outlined is an overview of our impact fee project approach.

Project Understanding

As Hanford's business sector continues to grow, the City becomes a major factor in the region, therefore, the City seeks to understand what the financial impacts of foreseeable future development and redevelopment will have on the City's public services and infrastructure, and to identify potential gaps in funding for those necessary improvements as service demands increase. The City desires to update impact fees to ensure a fair and reasonable fee structure, while meeting the requirements of the California *Mitigation Fee Act* (*California Government Code 66000 et seq*). The resulting fees will fund new development's share of planned facilities, while not overburdening development with unnecessary costs.

Listed below are the development impact fees that will likely be included in this study:

- Wastewater Collection & Treatment/Disposal Facilities
- Water Supply, Treatment, & Storage Facilities
- Police Facilities
- Circulation (Transportation) Facilities
- Parks & Recreation Facilities
- Fire Facilities
- Storm Drain Facilities
- Refuse/Recycling Facilities

Project Objectives

The objective of this project is to update development impact fees pursuant to State law. To accomplish this objective, this study will:

- Develop a technically defensible fee justification, based on the reasonable relationship and deferential review standards;
- Review and facility standards, capital facilities plans and costs, and development and growth assumptions;
- Provide a schedule of maximum-justified fees by land use category; and
- Provide comprehensive documentation of assumptions, methodologies, and results, including findings required by the *Mitigation Fee Act*.

Public Facilities Financing in California

The changing fiscal landscape in California during the past 40 years has steadily undercut the financial capacity of local governments to fund infrastructure. Four dominant trends stand out:

1. The passage of a string of tax limitation measures starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
2. Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses;
3. Steep reductions in Federal and State assistance; and
4. Permanent shifting by the State of local tax resources to the State General Fund to offset deficit spending brought on by recessions.

Faced with these trends, many cities and counties have had to adopt a policy of "growth pays its own way." This policy shifts the burden of funding infrastructure expansion from existing rate and taxpayers onto new development. This funding shift has been accomplished primarily through the imposition of assessments, special taxes, and development impact fees, also known as public facilities fees. Assessments and special taxes require approval of property owners or registered voters and are appropriate when the funded facilities are directly related to the developing property. Development impact fees, on the other hand, are an appropriate funding source for facilities that benefit development jurisdiction-wide. Development fees need only a majority vote of the legislative body for adoption.

Summary of Approach

Willdan's methodology for calculating public facilities fees is both simple and flexible. Simplicity is important so that the development community and the public can easily understand the justification for the fee program. At the same time, we use our expertise to reasonably ensure that the program is technically defensible.

Flexibility is important, so we can tailor our approach to the available data, and the agency's policy objectives. Our understanding of the technical standards established by statutes and case law suggests that a range of approaches are technically defensible. Consequently, we can address policy objectives related to the fee program, such as economic development and affordable housing. Flexibility also enables us to avoid excessive engineering costs associated with detailed facility planning. We calculate the maximum justifiable impact fee and provide flexibility for the agency to adopt fees up to that amount.

Development impact fees are calculated to fund the cost of facilities required to accommodate growth. The four steps followed in an impact fee study include:

- **Estimate existing development and future growth:** Identify a base year for existing development and a growth forecast that reflects increased demand for public facilities;
- **Identify facility standards:** Determine the facility standards used to plan for new and expanded facilities;
- **Determine facilities required to serve new development and their costs:** Estimate the total amount and cost of planned facilities, and identify the share required to accommodate new development; and
- **Calculate fee schedule:** Allocate facilities costs per unit of new development to calculate the public facilities fee schedule.

We discuss key aspects of our approach to each of these steps in the subsections that follow.

Growth Projections

In most cases, we recommend use of long-range market-based projections of new development. By "long-range" we suggest 20 to 30 years to: capture the total demand often associated with major public facility investments; and support analysis of debt financing, if needed. In contrast to build out projections, market-based projections provide a more realistic estimate of development across all land uses. Build out projections typically overestimate commercial and industrial development because of the oversupply of these land uses relative to residential development.

Facility Standards

The key public policy issue in development impact fee studies is the identification of facility standards (second bullet above). Facility standards document a reasonable relationship between new development and the need for new facilities. Standards ensure that new development does not fund deficiencies associated with existing development.

Our approach recognizes three separate components of facility standards:

1. **Demand standards** determine the amount of facilities required to accommodate growth. Examples include park acres per thousand residents, square feet of library space per capita, or gallons of water per day. Demand standards may also reflect a level of service such as the vehicles-to-capacity (V/C) ratio used in traffic planning;
2. **Design standards** determine how a facility should be designed to meet expected demand, for example park improvement requirements and technology infrastructure for office space. Design standards are typically not explicitly evaluated as part of an impact fee analysis but can have a significant impact on the cost of facilities. Our approach incorporates current facility design standards into the fee program to reflect the increasing construction cost of public facilities; and
3. **Cost standards** are an alternate method for determining the amount of facilities required to accommodate growth based on facility costs per unit of demand. Cost standards are useful when demand standards were not explicitly developed for the facility planning process. Cost standards also enable different types of facilities to be analyzed based on a single measure (cost or value), useful when disparate facilities are funded by a single fee program. Examples include facility costs per capita, per vehicle trip, or cost per gallon of water per day.

Identifying New Development Facility Needs and Costs

We can take several different approaches to identify facility needs and costs to serve new development. Typically, this is a two-step process: 1) identify total facility needs; and 2) allocate to new development its fair share of those needs. Total facility needs are often identified through a master facility planning process that typically takes place concurrent with or prior to conducting the fee study. Engineered facility plans are particularly important in the areas of traffic, water, sewer, and storm drain due to the specialized technical analysis required to identify facility needs.

There are three common methods for determining new development's fair share of planned facilities costs: 1) the existing inventory method; 2) the planned facilities method; and 3) the system plan method. Often the method selected depends on the degree to which the community has engaged in comprehensive facility master planning to identify facility needs.

The formula used by each approach and the advantages and disadvantages of each method is summarized as follows:

Existing Inventory Method

The existing inventory method allocates costs based on the ratio of existing facilities to demand from existing development as follows:

$$\frac{\text{Current Value of Existing Facilities}}{\text{Existing Development Demand}} = \$/\text{unit of demand}$$

Under this method new development funds the expansion of facilities at the same standard currently serving existing development. By definition, the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available. Only the initial facilities to be funded with fees are identified in the fee study. Future facilities to serve growth are identified through an annual Capital Improvement Plan (CIP) and budget process, possibly after completion of a new facility master plan.

Planned Facilities Method

The planned facilities method allocates costs based on the ratio of planned facility costs to demand from new development as follows:

$$\frac{\text{Cost of Planned Facilities}}{\text{New Development Demand}} = \$/\text{unit of demand}$$

This method is appropriate when specific planned facilities can be identified that only benefit new development. Examples include street improvements to avoid deficient levels of service or a sewer trunk line extension to a previously undeveloped area. This method is appropriate when planned facilities would not serve existing development. Under this method new development funds the expansion of facilities at the standards used for the master facility plan.

System Plan Method

This method calculates the fee based on the ratio of the value of existing facilities plus the cost of planned facilities divided by demand from existing plus new development:

$$\frac{\text{Value of Existing Facilities} + \text{Cost of Planned Facilities}}{\text{Existing} + \text{New Development Demand}} = \$/\text{unit of demand}$$

This method is useful when planned facilities need to be analyzed as part of a system that benefits both existing and new development. It is difficult, for example, to allocate a new fire station solely to new development when that station will operate as part of an integrated system of fire stations that work together to achieve the desired level of service. Police substations, civic centers, and regional parks are examples of similar facilities.

The system plan method ensures that new development does not pay for existing deficiencies. Often, facility standards based on policies such as those found in General Plans are higher than existing facility standards. This method enables the calculation of the existing deficiency required to bring existing development up to the policy-based standard. The local agency must secure non-fee funding for that portion of planned facilities, required to correct the deficiency, to ensure that new development receives the level of service funded by the impact fee.

Calculating the Fee Schedule

At its simplest, the fee schedule uses the cost per unit of demand discussed in the last subsection to generate the fee schedule. This unit cost is multiplied by the demand associated with a new development project to calculate the fee for that project. The fee schedule uses different demand measures by land use category to provide a reasonable relationship between the type of development and the amount of the fee. We are familiar with a wide range of methods for identifying appropriate land use categories and demand measures depending on the particular study.

Related Approach Issues

Funding and Financing Strategies

In our experience, one of the most common problems with impact fee programs and with many CIPs is that the program or plan is not financially constrained to anticipated revenues. The result is a “wish list” of projects that generate community expectations that often cannot be fulfilled. Our approach is to integrate the impact fee program into the local agency’s existing CIPs while encouraging those plans to be financially constrained to available resources. We clearly state the cost of correcting existing deficiencies, if any, to document the relationship between the fee program and the need for additional non-fee funding.

We can also address one of the most significant drawbacks of an impact fee program – the inability to support conventional public debt financing, so projects can be built before all fee revenues have been received. In collaboration with financial advisors and underwriters, we have developed specific underwriting criteria so that fees can be used to pay back borrowing if another source of credit exists. Typically, this approach involves the use of Certificates of Participation or revenue bonds that are calibrated so that they can be fully repaid using impact fee revenues.

Economic Development Concerns

The development community often is concerned that fees and other exactions will become too high for development to be financially feasible under current market conditions. Local agencies have several strategies to address this concern, including:

- Conducting an analysis of the total burden placed on development, by exactions, to see if feasibility may be compromised by the proposed fees;
- Gathering similar data on the total fee burden imposed by neighboring or competing jurisdictions;
- Developing a plan for phasing in the fees over several years to enable the real estate market to adjust;
- Providing options for developers to finance impact fees through assessments and other types of financing districts; and
- Imposing less than the maximum justified fee.

If less than the maximum justified fee is imposed, we will work with staff to identify alternative revenues sources for the CIP. The CIP should remain financially feasible to maintain realistic expectations among developers, policy-makers, and the public.

Stakeholder Participation

Stakeholder participation throughout the study supports a successful adoption process. Our approach is to create consensus first, around the need for facilities based on agreed upon facility standards. Second, we seek consensus around a feasible funding strategy for these needs, leading to an appropriate role for impact fees.

Gaining consensus among various groups requires a balanced discussion of both economic development and community service objectives. Often, our approach includes formation of an advisory committee to promote outreach to and input from the development community and other stakeholders. We have extensive experience facilitating meetings to explain the program and gain input.

Program Implementation

Fee programs require a certain level of administrative support for successful implementation. Our final report will include recommendations for appropriate procedures, such as:

- Regularly updating development forecasts;
- Regularly updating fees for capital project cost inflation;
- Regularly updating capital facility needs based on changing demands;
- Developing procedures for developer credits and reimbursements; and
- Including an administrative charge in the fee program.

Scope of Work

Willdan will work with the City to update its impact fees consistent with the Mitigation Fee Act and other relevant laws. We want to ensure that our scope of services is responsive to the City's needs and specific local circumstances. We will work with the City to revise our proposed scope based on input prior to approval of a contract, and as needed during the course of the study.

Task 1 - Review Applicable City Docs

Sub-Task 1.1: Identify Policy Issues & Review Applicable City Documents

- Objective:** Identify and discuss potential policy issues raised by the study. Kick-off meeting with staff to review data needs, policy issues, and schedule.
- Description:** Review agency documents related to existing capital planning policies and funding programs including existing impact fees. Bring policy issues to City staff's attention, as appropriate, during the project and seek guidance prior to proceeding. Potential policy issues include:
- Changes in implementation resulting from AB 602;
 - Changes in approach and nexus findings necessary to comply with AB 602;
 - Potential new impact fees for consideration
 - Adequacy of General Plan, the City's 2021-2029 sixth cycle Housing Element, and other public facility planning policies (e.g., level of service standards); impact fee ordinances and resolutions, and prior nexus studies;
 - Master Plans, including
 - Water, Wastewater, & Storm Drain
 - Parks
 - Recycled Water
 - ATP Bicycle & Pedestrian
 - Other Master Plans in progress
 - Types of facilities to be funded by each fee;
 - Land use categories for imposition of fees;
 - Nexus approach to determining facility standards;
 - Nexus approach to allocating cost burden among land uses, including need for separate fee zones;
 - Potential alternative funding sources, if needed;
 - Funding existing deficiencies, if identified; and
 - Implementation concerns and strategies.
- Action:** (1) Information requests; and (2) revised project scope and schedule (if needed).

Task 2 – Findings and Fees

Sub-Task 2.1: Identify Existing Development and Future Growth

- Objective:** Willdan will provide sufficient information and the necessary findings to help the City determine a full slate of impact fees based on the City's proposed infrastructure requirements, General Plan growth, and 5-year Capital Improvement Plan. (1) Identify estimates of existing levels of development; and (2) identify a projection of future growth consistent with current planning policy.
- We will work with City staff to determine other supporting infrastructure, multi-modal travel, ITS, or other operational services that could potentially and justifiably be included in the fee program to ensure the costs of such supporting infrastructure are paid by development.
- Willdan shall provide recommendations regarding changes to existing fee structures and/or newly proposed fees and fee structures, including transportation, Police and Fire services, and others as necessary. We will research and provide a summary of development impact fees from similar California cities and others in Kings County.
- Fees shall be calculated to provide for all services needed to support growth based on forecasts for development over a twenty-year period.

Description: Identify base year for estimating existing levels of development and for calculating facility standards based on existing facility inventories (see Task 3). Include entitled development that would be exempt from the fee program.

Consult with City staff to identify growth projections to a defined long-range planning horizon (10 to 30 years). Projections provide a basis for determining the facilities needed to accommodate growth (see Task 4). Consider projections from regional metropolitan planning agencies and other available sources - City staff to provide estimates and projections by zone if needed.

Develop approach for converting land use data to measure facility demand. For example, identify population and employment density factors to convert population and employment estimates to dwelling units and building square footage. Select appropriate approach for each impact fee based on:

- Available local data on facility demand by land use category;
- Approaches used by other agencies; and
- Support for other agency policy objectives.

Changes to estimates and projections during subsequent tasks could cause unanticipated effort and require an amendment to the scope of services and budget. Obtain approval of estimates and projections from City staff prior to proceeding.

Sub-Task 2.2: Determine Facility Standards

Note: Conduct Tasks 3, 4, and 5 separately for each intended facility and fee type. Conduct tasks concurrently because of the effect of facility standards (Task 3), facility needs (Task 4), and alternative funding (Task 5) on the fee calculation.

Objective: Determine standards to identify facilities required to accommodate growth.

Description: Identify and evaluate possible facility standards depending upon the facility type, current facility inventory data, and available facility planning documents. Consider use of: (1) adopted policy standards (e.g., General Plan, master facility plans); (2) standards derived from existing facility inventories; or (3) standards derived from a list of planned facility projects. City staff to provide policies, inventories, and project lists. Willdan will work with the City to identify additional costs that might be eligible for funding by the DIF.

Sub-Task 2.3: Determine Facilities Needs and Costs

Objective: Identify the type, amount and cost of facilities required to accommodate growth and correct deficiencies, if any.

Description: Quantify total planned facilities based on growth projection from Task 2 and facility standards from Task 3. Express planned facilities in general quantities such as acres of parkland, or as a specific list of capital projects from a master facility plan.

Location of planned facilities may or may not be specified. If only a general description of planned facilities is available through the planning horizon, City staff to provide a list of specific capital projects for use of fee revenues during the short term (e.g., five years).

Distinguish between: (1) facilities needed to serve growth (that can be funded by impact fees); and (2) facilities needed to correct existing deficiencies (that cannot be funded by impact fees). Use one of three cost allocation methods (existing inventory, system plan, or planned facilities).

Gather planning-level data on new facilities costs based on lump sum project cost estimates, or unit costs and project quantities (acres, building square feet, lane miles, etc.). Consider recent City experience, local market data such as land transactions, and consultant team experience from prior projects. Inflate older cost estimates to base year using appropriate cost indices.

The revised facility costs will form the basis of the capital improvement program needed for compliance with AB 602.

This scope of work does not include additional engineering analysis, including traffic engineering, to identify total facility needs, existing deficiencies, or cost estimates. Any such engineering/design work can be provided under a separate contract with Willdan Engineering or a third party. However, Willdan can use rough descriptions and comparables to calculate a reasonable cost estimate sufficient for use in the DIF study.

Sub-Task 2.4: Identify Funding and Financing Alternatives

- Objective:** Determine the extent of alternative (non-fee) funding available for new facilities.
- Description:** If impact fees are going to fund a capital project only partially, the *Mitigation Fee Act* requires the agency report on the anticipated source and timing of the additional funding every five years. There are two types of alternative funding sources that we will identify:
1. Funding from non-impact fee sources to correct existing deficiencies; and
 2. Funding from new development other than impact fees that must be credited against new development's impact fee contributions, possibly including taxes paid to finance facilities.
- Identify anticipated alternative funding based on information from City staff or note that funds are still to be identified based on a list of probable funding alternatives. If fees will fund debt service include financing costs in the total cost of facilities.
- Assume facilities to be funded predominantly on a pay-as-you-go basis. Scope does not include a cash flow analysis to analyze effect of timing of fee revenues on financing costs.

Sub-Task 2.5: Comparison and Feasibility Analysis

- Objective:** Provide a comparison of the current and proposed impact fees to those of comparable/surrounding jurisdictions in Kings County and an assessment of the effect of fees on development feasibility.
- Description:** Willdan will compare a total of four Kings County jurisdictions to be selected by the City. Willdan will also provide an assessment of the effect of the fees on project feasibility, typically using a ratio calculation to development value compared to industry benchmarks.
- Typically, Willdan prepares an analysis of fees charged to a series of prototype developments (such as residential, retail, etc.) to provide an "apples to apples" comparison, but the exact methodology will be determined in consultation with the City. This comparison will be limited to four other jurisdictions.

Task 3 - Meetings

Sub-Task 3.1: Meetings

- Objective:** The project manager or other necessary Willdan staff will attend project meetings. A member of the Impact Fee project team will attend up to five (5) in-person meetings and presentations throughout the City's engagement. Phone conferences are not considered meetings for the purposes of this scope.
- Willdan will attend the following meetings:
- Kick off meeting between project manager and City staff to review objectives of study, agree to methodology, and exchange information with City staff.
 - Review findings with City staff. The project team will provide information supporting findings to date and proposed fees.
 - Two stakeholder meetings with groups such as the local Building Industry Association or other groups to explain infrastructure needs and to seek market feasibility input.
 - Willdan will attend a City Council meeting to present the draft Nexus Study and Fee Updates where we will discuss methodology & findings, provide a formal presentation, answer questions, and collect input to prepare the final draft.
- Optional:** Optional stakeholder and Council meetings may be requested by the City.

Task 4 – Draft Development Impact Fee Reports

Sub-Task 4.1: Calculate Fees and Prepare Draft Report

- Objective:** Provide technically defensible fee report that comprehensively documents project assumptions, methodologies, and results.
- Description:** Generate fee schedule to apportion facility costs to individual development projects. Use facility costs per unit of demand multiplied by demand by land use category based on data developed in prior tasks.

Prepare draft report tables for City staff to review, that document each step of the analysis, including schedule of maximum justified fees by facility type land use category and all other requirements of the Mitigation Fee Act.

Following one (1) round of comments from City staff on the quantitative analysis and fee schedules, prepare administrative draft report. Following one (1) round of comments on administrative draft, prepare public draft for presentation to interested parties, the public and elected officials. This public review draft will be presented and public stakeholder meetings and at a Council informational session.

Action: If necessary, we will provide up to two (2) bound copies of the draft report, one (1) unbound copy, one (1) Microsoft Word copy; and up to two (2) bound copies of the final report.

Sub-Task 4.2: Prepare Impact Fee Schedule Calculation Tool

Objective: Provide interactive tool that will ensure predictable and intuitive fees that are easily accessible and understandable to customers interested in calculating fees on their own for a particular type of project.

Description: Create impact fee calculator in Microsoft Excel that can be used by City staff and developers to calculate impact fees associated with a development project. The tool will have an input page that allows a user to identify project characteristics that drive the fee calculation. Results will be displayed by impact fee category and will be summarized in terms of the total amount due.

Deliverables: Microsoft Excel impact fee calculator model.

Task 5 – Report Deliverables

Sub-Task 5.1: Final Report

Objective: Willdan will prepare the draft and final reports to submit to the City, which will include information, methodology, findings, and recommendations.

Prepare final report, if necessary, based on comments received on the public draft report. If requested, post the report on our website for public access. Note that as of January 2022, the Nexus study is adopted separately from the fees, and with a 30-day notice.

Fees will be calculated for residential land use in compliance with AB 602.

Provide legal counsel with copies of fee resolutions and ordinances used by other jurisdictions.

Specifically, Willdan shall prepare a report containing, but not limited to, the following:

- Background Information
- Description of overall methodology
- Supporting justification
- Recommended Development Impact Fees
- Recommended adjustments to the Municipal Code provisions for Development Impact Fees
- Purpose of fees
- Identify how fees will be used.
- Analysis & calculations that provide legal nexus between recommended fee and the impact created by new development.
- The relationship between the fee's use and the type of project on which it would be imposed.
- The need for any additional facilities and the type of project on which the fee would be imposed.
- The amount of the fee and the cost of the facility (or portion of the facility) attributable to new development.
- Summarize key results and findings, explain the methodology used and document compliance with the requirements of AB 1600.
- Recommended methodologies for annual adjustments to DIF's over time, to keep up with cost escalation.
- Any additional matters that City staff should be made aware of.

Staff Support

To complete our tasks, we will need the cooperation of City of Hanford staff. We suggest that the City assign a key individual to represent the City as the project manager who can function as our primary contact. We anticipate that the City's project manager will:

- Coordinate responses to requests for information;
- Coordinate review of work products; and
- Help resolve policy issues.

Willdan will rely on the validity and accuracy of the City's data and documentation to complete the analysis. Willdan will rely on the data as being accurate without performing an independent verification of accuracy and will not be responsible for any errors that result from inaccurate data provided by the client or a third party.

Project Disclaimer

The City of Hanford further represents, acknowledges, and agrees that:

- (i) The City uses the services of one or more municipal advisors registered with the U.S. Securities and Exchange Commission ("SEC") to advise it in connection with municipal financial products and the issuance of municipal securities;
- (ii) The City is not looking to Willdan to provide, and City shall not otherwise request or require Willdan to provide, any advice or recommendations with respect to municipal financial products or the issuance of municipal securities (including any advice or recommendations with respect to the structure, timing, terms, and other similar matters concerning such financial products or issues);
- (iii) The provisions of this proposal and the services to be provided hereunder as outlined in the scope of services are not intended (and shall not be construed) to constitute or include any municipal advisory services within the meaning of Section 15B of the U.S. Securities Exchange Act of 1934, as amended (the "Exchange Act"), and the rules and regulations adopted thereunder;
- (iv) For the avoidance of doubt and without limiting the foregoing, in connection with any revenue projections, cash-flow analyses, feasibility studies and/or other analyses Willdan may provide the City with respect to financial, economic or other matters relating to a prospective, new or existing issuance of municipal securities of the City, (A) any such projections, studies and analyses shall be based upon assumptions, opinions or views (including, without limitation, any assumptions related to revenue growth) established by the City, in conjunction with such of its municipal, financial, legal and other advisers as it deems appropriate; and (B) under no circumstances shall Willdan be asked to provide, nor shall it provide, any advice or recommendations or subjective assumptions, opinions or views with respect to the actual or proposed structure, terms, timing, pricing or other similar matters with respect to any municipal financial products or municipal securities issuances, including any revisions or amendments thereto; and
- (v) Notwithstanding all of the foregoing, the City recognizes that interpretive guidance regarding municipal advisory activities is currently quite limited and is likely to evolve and develop during the term of the potential engagement and, to that end, the City will work with Willdan throughout the term of the potential Agreement to ensure that the Agreement and the services to be provided by Willdan hereunder, is interpreted by the parties, and if necessary amended, in a manner intended to ensure that the City is not asking Willdan to provide, and Willdan is not in fact providing or required to provide, any municipal advisory services.

Quality Control Procedures

Project Management Approach

At Willdan, we utilize a Project Management Process/Approach that ensures projects are completed on time, within budget and most importantly yield results that match our clients' expectations. We will document discussions leading to important policy decisions and/or the choice of critical assumptions used in constructing the analysis and model. Following key stakeholder discussions, we will schedule a call to summarize findings and direction with City staff, to make certain that we are in agreement with stated objectives, and that feedback is incorporated as appropriate.

Through the process of providing regular updates and conducting status conference calls, potential issues will be highlighted, discussed, and resolved. Any deviances from the project timeline will be identified and plans will be developed for course corrections. If necessary, changes in approach or strategy will be discussed with City staff, to meet the needs of the City of Hanford. In doing this, we will ensure the project stays on track and evolves, based upon current thinking and outside dynamics.

Project Management				
 Define the Project	 Plan the Project	 Manage the Project	 Review the Project	 Communicate the Project
- Identify the project scope, set objectives, list potential constraints, document assumptions. - Define a course of action and develop an effective communication plan. - Provide a forum for applying the team's collective expertise to solving difficult analytical issues that arise in complex projects.	- Collaborate with the project team and client staff and agree upon timeline to meet the estimated project timeline. - Assign workload functions to appropriately qualified staff to ensure milestones are met, on time. - Pre-schedule quality control meetings with project team to maintain the progressive motion of the project.	- Manage the execution of the project. - Direct existing and upcoming project tasks. - Control and monitor work in progress. - Provide feedback to client and project team. - Identify and resolve deviances from project timeline.	- Review all work product and deliverables. - Utilize structured quality assurance process involving up to three levels of review at the peer level, project manager level. - Procure executive officer level review.	- Communicate with the client regarding work status and progress. - Ensure client is in receipt of regular status updates. - Schedule regular conference calls to touch base. - Inform client of roadblocks, work outside of projected scope.

Quality Assurance / Quality Control Process

Our quality control program is incorporated as a required element of Willdan's day-to-day activities. There are three levels of reviews incorporated for our deliverables:

- 1) Peer review;
- 2) Project Manager review; and
- 3) Final quality assurance manager review.

Peer reviews involve one analyst reviewing the work of another, while project manager reviews are conducted prior to delivery to the quality assurance manager. The quality assurance manager then performs a final review. This assures that our final product has been thoroughly evaluated for potential errors; thus, providing quality client deliverables, and high levels of integrity and outcomes.



The primary mission of our quality control plan is to provide staff with the technical and managerial expertise to plan, organize, implement, and control the overall quality effort, thereby ensuring the completion of a quality project within the time and budget established.

Quality Assurance Goals		
Goal	Lead	Task
Quality Assurance / Control Process	James Edison	- Establish a set of planned and systematic actions for maintaining a high level of quality in the professional services performed; Emphasize quality in every phase of work; - Ensure efficient use of resources; - Establish a consistent and uniform approach to the services performed; and - Implement appropriate quality control measures for each work task of the project.
Quality Control Plan	James Edison; Carlos Villarreal	- Contract deliverables; - Specific quality control procedures; - Special quality control emphasis; - Budget and manpower requirements; - Overall project schedule and budget; and - Project documentation requirements.

C. Staff Qualifications and Experience

Key Staff Members

Our management and supervision philosophy for the project team is very simple: staff every position in sufficient numbers with experienced personnel to deliver a superior product and convey results to decision makers in meetings, on time and on budget.

With that philosophy in mind, we have selected experienced professionals for the City's engagement. We are confident that our team possesses the depth of experience that will successfully fulfill the desired work performance.

City of Hanford Project Team		
Key Team Member	Project Role	Responsibility to the Engagement
James Edison, JD, MPP Managing Principal	Principal-in-Charge	- Ensure client satisfaction, flow of communication, and management of the project - Technical guidance - Project oversight - Quality assurance & control, and - Meeting and presentation attendance
Carlos Villarreal, MPP Principal Consultant	Project Manager	- Collect, interpret, and disseminate key data - Day to day contact - Production of key elements of the analyses - Model development - Report preparation, and - Meeting and presentation attendance

Proven Professionals

The Team's quality is often as important as the consulting firm's reputation. Willdan is known for its personal, customized service. Our team will work with the City's professional staff to provide long-term service, that is our prime goal.

Community Investment

Much of our success in developing impactful programs and studies is due to our experiences in meeting with citizen / stakeholder groups and elected officials. Our ability to explain technical information in a concise, understandable manner is a fundamental reason for our high degree of success. Willdan staff takes the time to **include and inform the Community**.

Project Availability

Willdan's Financial Consulting Services group is composed of a team of over 20 senior-level professional consultants. While each member of the project team currently has work in progress with other clients, the workload is at a manageable level with sufficient capacity to meet the needs of the City specific to the schedule and budget for this engagement.

Sub-Consultants

Due to the nature of the requested services and Willdan's vast experience with the proposed scope of work, Willdan will not employ, contract with, or use the services of any subconsultants at any point during this engagement and therefore will not have any subconsultant mark-ups.

Resumes

Resumes for Willdan's project team are presented on the following pages.



James Edison, JD, MPP

Principal-in-Charge

Mr. James Edison specializes in the nexus between public and private, with expertise in public-private partnerships, and the benefits of economic development to municipalities and state, provincial, regional, and national governments. He possesses deep expertise in land use economics, with a specialty in finance and implementation, including fiscal impact and the public and private financing of infrastructure and development projects, both in the U.S. and internationally. Mr. Edison's public-sector experience includes local and regional economic impact studies; fiscal impact evaluations; new government formation strategies; and the creation of impact fees, assessments, and special taxes to fund infrastructure and public facilities. He has conducted numerous evaluations of the economic and fiscal impact of specific plans and consulted on a wide variety of land use planning topics related to community revitalization and the economic and fiscal impacts of development.

As a former bond attorney, Mr. Edison understands the legal underpinnings and technical requirements of public financing instruments and has advised both public and private clients on the use of individual instruments, and the interaction between those instruments and the needs of developers and project finance.

Related Experience

City of Pismo Beach, CA – Development Impact Fee Update: Mr. Edison served in the role of principal-in-charge of an update to the City's impact fee program. The program included the following facilities: police, fire protection, park and recreation improvements, water system improvements, wastewater, traffic, and general government/administrative facilities. Prior to fee program adoption, a stakeholder meeting was held to inform the public about the project, and to solicit feedback from the development community.

County of Riverside, CA – Comprehensive Impact Fee Update: Mr. Edison led the effort to establish a comprehensive fee program for the County, including facilities fees for fire, police, parks, criminal justice, libraries, and traffic. He prepared the technical and analytical documents necessary to calculate the fee and establish the necessary nexus to collect it, as well as presented the fees during public hearings to the County Board of Supervisors. *Furthermore, Mr. Edison is currently leading an update to the County's development impact fees for 2030.*

City of Murrieta, CA – Master Facilities Plan and Development Impact Fee Calculation Report Update: Mr. Edison served as the principal-in-charge of the City's study to update their Master Facilities Plan and Development Impact Fee Calculation Report, to ensure that new development pays the capital costs associated with growth.

City of Fillmore, CA – North Fillmore Specific Plan Nexus Study: Mr. Edison is currently assisting the City with an analysis of development impact fees needed to finance public facilities necessary for the development of the North Fillmore Specific Plan. Public facilities included in this analysis include water, sewer systems, recycled water, and streets.

City of Morgan Hill, CA – Development Impact Fee Update: Mr. Edison served as principal-in-charge of an update to the City's existing nexus study, which included general government, fire, police, parks and recreation, library, and storm drain fee categories. The project scope included stakeholder outreach.

City of Alameda, CA – Comprehensive Impact Fee Update: Mr. Edison led the Willdan team that updated the City of Alameda's impact fee programs, as well as created a separate impact fee program for Alameda Point, the former Alameda Naval Air Station.

City of Santa Clara, CA – Parks Fee Update: Mr. Edison served as principal-in-charge of the City's park impact fee update. This project included a demographic analysis and estimation of the cost of acquiring and improving public park land.

Education

*Juris Doctorate,
University of
California, Berkeley,
School of Law*

*Master of Public
Policy, Goldman
School of Public
Policy, University of
California, Berkeley*

*Bachelor of Arts,
magna cum laude,
Harvard University*

Professional Registrations

*Member of State Bar,
California*

Affiliations

*Council of
Development Finance
Agencies*

*CFA Society of
San Francisco*

*Congress for the
New Urbanism*

Urban Land Institute

Seaside Institute

*International Economic
Development Council*

26 Years' Experience



Carlos Villarreal, MPP

Project Manager

Mr. Carlos Villarreal, a Financial Consulting Group Principal Consultant, is proposed to serve in the role of project manager due to his experience documenting nexus findings for development impact fees, preparing capital improvement plans, facilitating stakeholder involvement, and analyzing the economic impacts of fee programs. He has supported adoption of fee programs funding a variety of facility types.

Related Experience

Education

Master of Public Policy, Goldman School of Public Policy, University of California, Berkeley

Bachelor of Arts, Geography, University of California, Los Angeles; Minor in Public Policy and Urban Planning

Areas of Expertise

Fiscal Impact Analyses

Development Impact Fees

Public Facilities Financing Plans

GIS Analysis

17 Years' Experience

County of Riverside, CA – Comprehensive Impact Fee Update: Mr. Villarreal served as the lead analyst in the effort to establish a comprehensive fee program for the County, including facilities fees for fire, police, parks, criminal justice, libraries, and traffic. He assisted in the preparation of the technical and analytical documents necessary to calculate the fees and establish the necessary nexus. Mr. Villarreal is once again serving on the project team to update the County's impact fees through 2030.

City of Pismo Beach, CA – Development Impact Fee Update: Mr. Villarreal served in the role of project manager for the City's impact fee project. The program included: police, fire protection, park and recreation improvements, water system improvements, wastewater, traffic, and general government/administrative facilities. Prior to fee program adoption, a stakeholder meeting was held to inform the public about the project, and to solicit feedback from the development community.

City of Carpinteria, CA – Development Impact Fee Update: Mr. Villarreal served in the role of lead analyst to update the City of Carpinteria's impact fees, which included highways and bridges, streets and thoroughfares, traffic control, parking, storm drain, general government, aquatic, park and recreation, and open space. The City has engaged Willdan again to update their impact fees and Mr. Villarreal is serving in the role of project manager.

City of McFarland, CA – Impact Fee Study Update: Mr. Villarreal served as project manager updating the City's development impact fee program. The study comprehensively updated the City's fee program, incorporating new facility master planning and infrastructure costs necessary to facilitate expected development in the City through 2040. The study included the following facility fee categories: general government, law enforcement, park and recreation, fire protection, water, sewer, storm drain, and traffic. The fees were adopted by the City Council in 2020.

County of San Benito, CA – Comprehensive Impact Fee Study: As project manager, Mr. Villarreal assisted the County with the preparation of an updated and expanded impact fee program. The study included updates to the following fees: capital improvements, road equipment, fire mitigation, and park and recreation.

City of Soledad, CA – Development Impact Fee Study Update: Mr. Villarreal managed the update of the City's impact fee program, specifically changes in demographics, growth projections, project costs, and facility standards. In particular, the City had to revise its capital facilities needs to accommodate a much lower amount of growth than what was projected before 2007. The resulting fees funded new development's share of planned facilities, while not overburdening development with unnecessary costs.

City of Morgan Hill, CA – Development Impact Fee Update: Mr. Villarreal served as lead analyst assisting with an update to the City's existing nexus study, including general government, fire, police, parks and recreation, library, and storm drain fee categories. The project scope included stakeholder outreach. The City engaged Willdan again to update the study and Mr. Villarreal served in the role of project manager.

City of Oroville, CA – Impact Fee Study Update: Mr. Villarreal served as project manager for a study updating the City's development impact fee program, including parks, law enforcement, general government, fire suppression, and traffic facilities. The fee program was adopted by the City Council in 2015. The City engaged Willdan again to update the 2015 study, and Mr. Villarreal served in the role of project manager.

D. Related Experience

Firm Profile

Willdan Financial Services is an operating division within Willdan Group, Inc. (WGI), which was founded in 1964 as an engineering firm working with local governments. Today, WGI is a publicly traded company (WLDN). WGI, through its divisions, provides professional technical and consulting services that ensure the quality, value and security of our nation's infrastructure, systems, facilities, and environment. The firm has pursued two primary service objectives since its inception—ensuring the success of its clients and enhancing its surrounding communities.

A financially stable company, Willdan has approximately 1,500 employees working in more than a dozen states across the U.S. Our employees include a number of nationally recognized Subject Matter Experts for all areas related to the broadest definition of connected communities—including a team who will be committed to contribute their expertise throughout the duration of the City of Hanford's Development Impact Fee Study engagement.

Willdan has solved economic, engineering and energy challenges for local communities and delivered industry-leading solutions that have transformed government and commerce. Today, we are leading our clients into a future accelerated by a change in resources, infrastructure, technology, regulations, and industry trends.

Willdan Financial Services

Established on June 24, 1988, Willdan Financial Services, is a national firm and is one of the largest public sector economic and financial analysis consulting firms in the United States. Since that time, we have helped over 800 public agencies successfully address a broad range of infrastructure challenges.

Our staff of nearly 80 professionals support our clients by conducting year-round workshops and on-site training to assist them in keeping current with the latest developments in our areas of expertise.

Willdan assists local public agencies by providing the following services:

In the past five years Willdan has conducted over 125 Impact Fee Studies



Willdan Financial Services

Services

- | | |
|---|---|
| <ul style="list-style-type: none"> ▪ User fee studies; ▪ Cost allocation studies; ▪ Utility rate and cost of service studies; ▪ Real estate economic analysis; ▪ Feasibility studies; ▪ Municipal Advisory; ▪ Arbitrage and Continuing Disclosure Services; ▪ Economic development strategic plans; | <ul style="list-style-type: none"> ▪ Development impact fee establishment and analysis; ▪ District Administration Services; ▪ Property tax audits; ▪ Tax increment finance district formation and amendment; ▪ Housing development and implementation strategies; ▪ Debt issuance support; and ▪ Long-term financial plans and cash flow modeling. |
|---|---|

Recent Studies

Listed below, is an abbreviated list of the public agencies in which similar services are currently in progress, or have been completed, in the previous five years by the project team included within this submission.

Willdan Financial Services Development Impact Fee Experience	
Partial Client List	
City of Alameda, CA	City of Parkland, FL
City of Antioch, CA	City of Petaluma, CA
City of Arcadia, CA	City of Pismo Beach, CA
City of Artesia, CA	City of Pittsburg, CA
City of Bakersfield, CA	City of Pleasant Hill, CA
City of Banning, CA	City of Pomona, CA
City of Bell Gardens, CA	City of Rancho Mirage, CA
City of Bellflower, CA	City of Redwood City, CA
City of Brea, CA	City of Rialto, CA
City of Calexico, CA	City of Richmond, CA
City of Calimesa, CA	City of Rio Rancho, NM
City of Carpinteria, CA	City of Riverbank, CA
City of Chino Hills, CA	City of Rolling Hills Estates, CA
City of Clovis, CA	City of Rosemead, CA
City of Coachella, CA	City of San Carlos, CA
City of Commerce, CA	City of San Fernando, CA
City of Compton, CA	City of San Jacinto, CA
City of Corona, CA	City of San Marcos, CA
City of Covina, CA	City of San Ramon, CA
City of Cudahy, CA	City of Santa Clara, CA
City of Dixon, CA	City of Sebastopol, CA
City of Dublin, CA	City of Selma, CA
City of El Monte, CA	City of Sierra Madre, CA
City of El Segundo, CA	City of Soledad, CA
City of Emeryville, CA	City of South Gate, CA
City of Fillmore, CA	City of South San Francisco, CA
City of Fountain Valley, CA	City of St. Helena, CA
City of Fremont, CA	City of Tehachapi, CA
City of Garden Grove, CA	City of Thousand Oaks, CA
City of Gilroy, CA	City of Tracy, CA
City of Gonzales, CA	City of Upland, CA
City of Goose Creek, SC	City of Visalia, CA

Willdan Financial Services Development Impact Fee Experience

Partial Client List

City of Guadalupe, CA	City of Wasco, CA
City of Greenfield, CA	Coachella Valley Association of Governments, CA
City of Grover Beach, CA	Contra Costa Fire Protection District, CA
City of Hawthorne, CA	County of Clay, FL
City of Healdsburg, CA	County of Kern, CA
City of Hercules, CA	County of Kings, CA
City of Hollister, CA	County of Los Angeles, CA
City of Huntington Beach, CA	County of Madera, CA
City of Huntington Park, CA	County of Merced, CA
City of Indian Wells, CA	County of Placer, CA
City of Irwindale, CA	County of Riverside, CA
City of Kingsburg, CA	County of Sacramento, CA
City of La Mesa, CA	County of San Benito, CA
City of La Verne, CA	County of San Diego, CA
City of Las Cruces, NM	County of San Joaquin, CA
City of Lake Elsinore, CA	County of San Luis Obispo, CA
City of Lake Forest, CA	County of Santa Barbara, CA
City of Lancaster, CA	County of Solano, CA
City of Lawndale, CA	County of Sonoma, CA
City of Livermore, CA	County of Stanislaus, CA
City of Long Beach, CA	County of Tulare, CA
City of McFarland, CA	County of Yolo, CA
City of Madera, CA	East Contra Costa Fire Protection District, CA
City of Manteca, CA	Kern Council of Governments, CA
City of Menifee, CA	Nevada County Consolidated Fire District, CA
City of Moreno Valley, CA	Rodeo-Hercules Fire Protection District, CA
City of Morgan Hill, CA	San Geronio Memorial Healthcare District, CA
City of Mountain View, CA	Stanislaus Council of Governments, CA
City of Murrieta, CA	Tehachapi Valley Rec. & Park District, CA
City of Newport Beach, CA	Town of Mead, CO
City of Oroville, CA	Town of Windsor, CA
City of Pacifica, CA	Tulare County Association of Governments, CA
City of Patterson, CA	Village of Taos Ski Valley, NM

References

Provided below are client references for projects completed by Willdan and the project team members proposed herein, which demonstrates our ability to provide the requested services. We are proud of our reputation for customer service and encourage you to contact our past clients regarding our commitment to excellence.

City of Pismo Beach, CA

Development Impact Fee Study

Willdan assisted the City of Pismo Beach with an update to their impact fee program. The program included the following facilities: police, fire protection, park and recreation improvements, water system improvements, wastewater, traffic, and general government/administrative facilities. This project was warranted due to the amount of time that had elapsed since the prior update, coupled with the adoption of new and revised public facility master plans that complemented the updated impact fees.

Prior to fee program adoption, Willdan held a stakeholder meeting to inform the public about the project, and to solicit feedback from the development community.

Client Contact: Nadia Feeser, Administrative Services Director
760 Mattie Road, Pismo Beach, CA 93449
Tel #: (805) 773-7010 | Email: nfeeser@pismo-beach.org

Project Fees:	\$73,870	Project Dates:	April 2018 – August 2023
----------------------	----------	-----------------------	--------------------------

City of Fillmore, CA

Development Impact Fee Update

The City of Fillmore charges a wide range of development impact fees to new development. The City sought to comprehensively update its impact fee program for potential changes in demographics, growth projections, project costs and facility standards. The resulting fees funded new development's share of planned facilities, while not overburdening development with unnecessary costs. Willdan developed a technically defensible fee justification based on the reasonable relationship and deferential review standards; provided a schedule of maximum-justified fees by land use category; engaged stakeholders to facilitate public support for the impact fee; and provided comprehensive documentation of all assumptions, methodologies, and results.

Client Contact: Kevin McSweeney, Planning and Community Development Director
250 Central Avenue, Fillmore, CA 93015
Tel #: (805) 834-1084 | Email: KMcSweeney@Fillmore.ca.us

Project Fees:	\$34,800	Project Dates:	September 2017 – March 2019
----------------------	----------	-----------------------	-----------------------------

County of Stanislaus, CA

Public Facility Inflationary Update

Willdan has a long-standing relationship with the County of Stanislaus. We recently revised the Public Facilities Impact Fee Update report to include an accessory dwelling unit land use category. In 2016, we assisted the County with an update to the existing impact fee program. The program is made up of a range of fee categories including animal control, behavioral health, criminal justice, detention, emergency services, health, library, park, sheriff patrol and investigation, and countywide information technology facilities. Fees are collected on new development countywide, including incorporated municipalities within the County, which include the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford. The study also includes a Regional Transportation Impact Fee (RTIF), which is currently being updated for the County. Considerable stakeholder outreach was an integral component of this project.

Willdan also previously completed an update to the County's Region Transportation Impact Fee (RTIF) in 2020, and a comprehensive update of their Public Facilities Impact Fees (PFF) in 2018.

Client Contact: Keith Boggs, Former Assistant Executive Officer (Retired)
1010 10th Street, Suite 6800, Modesto, CA 92354
Tel #: (209) 652-1514 | Email: boggsk@stancounty.com

Project Fees:	\$73,750	Project Dates:	October 2016 – Current
----------------------	----------	-----------------------	------------------------

E. Project Timeline

Willdan understands time is of the essence for the City to begin this engagement. Typically, an impact fee study requires approximately six to seven months from notice to proceed to adoption. The proposed schedule can only be met with the cooperation of City staff. Delays in responding to our requests for data and review will result in corresponding delays to the project schedule. If that is the case, we will notify the City immediately of the possible impact on the schedule.

City of Hanford																																			
Comprehensive Development Impact Fee Study																																			
Project Schedule																																			
Scope of Services	August				September					October				November				December				January 2025				February				March					
	5	12	19	26	2	9	16	23	30	7	14	21	28	4	11	18	25	2	9	16	23	30	6	13	20	27	3	10	17	24	3	10	17	24	31
Task 1: Review Applicable City Docs																																			
Sub-Task 1.1: Identify & Consider Fee Categories & Policy Issues																																			
Task 2: Findings and Fees																																			
Sub-Task 2.1: Identify Existing Development and Future Growth																																			
Sub-Task 2.2: Determine Facility Standards																																			
Sub-Task 2.3: Determine Facilities Needs and Costs																																			
Sub-Task 2.4: Identify Funding and Financing Alternatives																																			
Sub-Task 2.5: Comparison and Feasibility Analysis																																			
Task 3: Meetings																																			
Sub-Task 3.1: Meetings																																			
Task 4: Draft Development Impact Fee Reports																																			
Sub-Task 4.1: Calculate Fees and Prepare Report																																			
Sub-Task 4.2: Prepare Impact Fee Schedule Calculation Tool																																			

Deliverables:

- ¶1.1: Information Request, Meeting Agenda, Revised Schedule, Summary of Policy Decisions
- ¶2.1: Development Growth Projections (table format)
- ¶2.2: Project List
- ¶2.3: Cost Estimates for Identified Facilities

- ¶2.4: Fee Comparison
- ¶2.5: Draft Fee Tables & Text
- ¶4.1: Administrative/Public Draft Report(s), Final Nexus Report, Slide Presentation
- ¶4.2: Complete Impact Fee Schedule Calculation Tool

F. Proposed Fee Structure and Schedules

As requested within the RFP, our proposed fee structure and schedule has been submitted separately on BidNet where indicated.

G. Conflict of Interest

Willdan Financial Services does not have any financial, business, or other relationship with the City or any member of City staff that may impact the outcome of the project, nor are there any clients who may have a financial interest in the outcome of the project.

Required Forms

Attachment 1: Non-Collusion Affidavit

NON-COLLUSION AFFIDAVIT

(Submit with Proposal Attachment 1)

TO: THE CITY OF HANFORD

The undersigned, in submitting a proposal for performing the following work by contract, being duly sworn, deposes and says:

That he/she has not, either directly or indirectly, entered into any agreement, participate in any collusion, or otherwise taken any action in restraint of free competition in connection with such contract.

Work to be performed: RFP No. 2024-20
[Comprehensive Development Impact Fee Study]

Proposer's Name: Willdan Financial Services

Signature of Proposer: [Signature]

Title: Vice President/Director

Business Address: 27368 Via Industria, Suite 200, Temecula, CA 92590

Place of Residence: Temecula, CA

State of: CA

County of: Riverside

On this _____ day of _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

See Attached

RFP 2024-20
Comprehensive Development Impact Fee Study
20

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Riverside)

On June 17, 2024 before me, Rebekah Smith, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Robert Fisher

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Rebekah Smith
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

©2016 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907

Attachment 2: Workers' Compensation Insurance Certificate

WORKERS' COMPENSATION INSURANCE CERTIFICATE

(Submit with Proposal Attachment 2)

STATE OF CALIFORNIA)
) ss
CITY OF HANFORD)

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work under this contract.

Company: Willdan Financial Services

Business Address: 27368 Via Industria, Suite 200, Temecula, CA 92590

Signature: 

Name of Signing Official: Chris Fisher

Title of Signing Official: Vice President/Director

Date: June 17, 2024

Company Seal:



RFP 2024-20
Comprehensive Development Impact Fee Study
21

Attachment 3: EEO Compliance Certificate

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE (EXECUTIVE ORDER 11246)

(Submit with Proposal Attachment 3)

Equal Opportunity Clause

Unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Executive Orders 10925, 11114 or Section 204 of Executive Order 11246 of September 24, 1965, during the performance of each contract with the City of Hanford, the Proposer agrees as follows:

1. The proposer will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, or political affiliation. The proposer will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, gender, national origin, or political affiliation. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The proposer agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
2. The proposer will, in all solicitations or advertisements for employees, placed by or on behalf of the proposer, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin or political affiliation.
3. The proposer will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or the workers' representative of the proposer commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice on conspicuous places available to employees and applicants for employment.
4. The proposer will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations and relevancy orders of the Secretary of Labor.
5. The proposer will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
6. In the event of the proposer's non-compliance with the non-discrimination clauses of this subcontract or with any of such rules, regulations or orders, this subcontract may be canceled, terminated or suspended, in whole, or in part and the proposer may be declared ineligible for further government contracts in accordance with the procedures authorized in accordance with Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or otherwise provided by law.
7. The proposer will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The proposer will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that in the event the proposer becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the proposer may request the United States to enter into such litigation to protect the interest of the United States.

Company Name: Willdan Financial Services
Business Address: 27368 Via Industria, Suite 200, Temecula, CA 92590
Signature: 
Name of Signing Official (type): Chris Fisher
Title of Signing Official (type): Vice President/Director
Date: June 17, 2024 (Seal)

RFP 2024-20
Comprehensive Development Impact Fee Study
22

Attachment 4: Americans with Disabilities Act Compliance Certificate

AMERICANS WITH DISABILITIES ACT COMPLIANCE CERTIFICATE (Submit with Proposal Attachment 4)

By submission of a bid, the BIDDER certifies it will comply with the Americans with Disabilities Act, 42 U.S.C., 12101 et. seq., and will maintain compliance throughout the life of this Contract. By commencing performance of the Contract work, the selected BIDDER certifies to the Americans with Disabilities Act compliance.

Company: Willdan Financial Services

Business Address: 27368 Via Industria, Suite 200, Temecula, CA 92590

Signature: 

Name of Signing Official: Chris Fisher

Title of Signing Official: Vice President/Director

Date: June 17, 2024

Company Seal:



Attachment 5: CA Ownership Disclosure for Contractors and Consultants

CITY OF HANFORD, CA OWNERSHIP DISCLOSURE FOR CONTRACTORS AND CONSULTANTS

(Submit with Proposal Attachment 5)

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:

Firm Name: Willdan Financial Services

Firm Address: 27368 Via Industria, Suite 200, Temecula, CA 92590

List the names of all principals, partners, and/or trustees. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Submitted by: Name Avery Perier, Proposal Coordinator

Date June 17, 2024

Attachment 6: Drug-Free Workplace Certification

STATE OF CALIFORNIA DRUG-FREE WORKPLACE CERTIFICATION STD.21 (REV.12-93)

(Submit with Proposal Attachment 6)

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

Contractor/Proposer Firm Name: Willdan Financial Service
Federal ID Number: 33-0302345
BY (Authorized Signature): [Signature]
Date Executed: June 17, 2024
Printed Name of Person Signing: Chris Fisher
Telephone Number (Including Area Code): (951)587-3500
Title: Vice President/Director
Contractor/Proposer Firm's Mailing Address: 27368 Via Industria, Suite 200, Temecula, CA 92590

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above-named contractor or grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:

- (a) The dangers of drug abuse in the workplace,
- (b) The person's or organization's policy of maintaining a drug-free workplace,
- (c) Any available counseling, rehabilitation, and employee assistance programs, and
- (d) Penalties that may be imposed upon employees for drug abuse violations.

3. Provide as required by Government Code Section 8355(c), that every employee who works on the proposed contract or grant:

- (a) Will receive a copy of the company's drug-free workplace policy statement, and
- (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

4. At the election of the contractor or grantee, from and after the "Date Executed" and until _____ (NOT TO EXCEED 36 MONTHS), the state will regard this certificate as valid for all contracts or grants entered into between the contractor or grantee and this state agency without requiring the contractor or grantee to provide a new and individual certificate for each contract or grant. If the contractor or grantee elects to fill in the blank date, then the terms and conditions of this certificate shall have the same force, meaning effect and enforceability as if a certificate were separately, specifically, and individually provided for each contract or grant between the contractor or grantee and this state agency.

Attachment 7: Iran Contracting Act Certification

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seq.)
(Submit with Proposal Attachment 7)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

Please check the appropriate option:

- ☒ The Contractor is not:
- (1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
 - (2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- ☐ The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- ☐ The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).

Signature: 

Printed Name: Chris Fisher

Title: Vice President/Director

Agency Name: Willdan Financial Services

Date: June 17, 2024

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.

Attachment 8: California Levine Act Statement

CALIFORNIA LEVINE ACT STATEMENT

(Submit With Proposal Attachment 8)

California Government Code Section 84308, also known as the "Levine Act," can prohibit members of the Hanford City Council from participating in any action related to a "license, permit, or entitlement for use" if he or she receives any political contributions, which total more than \$250 during the twelve (12) months prior to and for twelve (12) months following the date of a final decision on such "license, permit, or entitlement for use," from the person or company submitting a proposal or application to the City or any person who is not directly a party to the proposal or application but who actively supports or opposes a particular decision involving a "license, permit, or other entitlement" and who has a financial interest in the decision ("Participant").

Government Code Section 84308 defines "license, permit, or entitlement for use" as "all business, professional and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises."

The following website contains a list of current Hanford City Council Members, <https://cityofhanfordca.com/1269/City-Council>. You are responsible for reviewing the names of Hanford City Council Members prior to making the following disclosure:

- I. Have you, your company, any agent on behalf of you or your company, or, to the best of your actual knowledge, a Participant made any political contributions of more than \$250 to a Hanford City Council Member or a candidate running for Hanford City Council during the twelve (12) months preceding the date of the submission of your proposal or application or the anticipated date of any City Council action related to this proposal or application?

YES: _____ NO: X

If YES, please identify the City Council Member(s) and/or candidates for Hanford City Council and date(s) of contribution in the space below:

Council Member(s) or Candidate(s) Name	Date of Contribution(s):
_____	_____
_____	_____

I declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Answering YES to the question above does not preclude the City of Hanford from approving a "license, permit, or entitlement for use" for you or your firm or from taking any subsequent action. It does, however, preclude the identified Hanford City Council Member(s) from participating in any actions related to the approval process.

No party, or agent to a party, to a pending proceeding involving a "license, permit, or other entitlement for use" or Participant, or agent to a Participant, shall make a contribution of more than \$250 to any City Council Member(s) or City Council candidate during the proceeding and for twelve (12) months following the date of a final decision is rendered by the City in the proceeding.

NOTICE: The disclosure duty under state law continues for twelve (12) months after the final decision on a "license, permit, or other entitlement for use." If the above information regarding contributions changes during such twelve (12) month period, then the undersigned is required to update this disclosure form.



Signature of Authorized Individual

June 17, 2024

Date

Chris Fisher, Vice President/Director

Printed or Typed Name of Authorized Individual

Willdan Financial Services

Print or Type Name of Company

RFP 2024-20
Comprehensive Development Impact Fee Study
28



66 Franklin Street, Suite 300

Oakland, CA 94607

Phone: 510.788.8871

www.willdan.com



June 18, 2024

Ms. Lisa Valenica
Purchasing Agent
City of Hanford
319 N Douty Street
Hanford, CA 93230

Re: *Proposal to Conduct a Comprehensive Development Impact Fee Study for the City of Hanford*

Dear Ms. Valencia;

Willdan Financial Services ("Willdan") is pleased to present the following cost proposal to the City of Hanford ("City") to conduct a Comprehensive Development Impact Fee Study.

This submission reflects our understanding of the City's Request for Proposal (RFP).

Willdan is excited about this opportunity to serve the City of Hanford. To discuss any aspect of our technical and/or cost proposal, please contact Managing Principal James Edison, at JEdison@Willdan.com or (800) 755-6864.

Sincerely,

WILLDAN FINANCIAL SERVICES

A handwritten signature in blue ink, appearing to read 'Chris Fisher', written over a light gray rectangular background.

Chris Fisher
Vice President / Director

F. Proposed Fee Structure and Schedules

Comprehensive Development Impact Fee Study

Based upon the scope of work identified herein, Willdan proposes a **not-to-exceed fixed fee of \$77,280** for the City's Development Impact Fee Study. This fee includes updates to existing fees and up to four new categories. The table below provides a breakdown of the proposed fee by task and team member.

City of Hanford					
Comprehensive Development Impact Fee Study					
Cost Proposal					
	J. Edison Principal-in-Charge	C. Villarreal Project Manager	<u>Total</u>		
	\$	240	\$	210	Hours Cost
Scope of Services					
Task 1: Review Applicable City Docs					
Sub-Task 1.1:	Identify and Resolve Policy Issues	14.0	22.0	36.0	\$ 7,980
Task 2: Findings and Fees					
Sub-Task 2.1:	Identify Existing Development and Future Growth	12.0	24.0	36.0	7,920
Sub-Task 2.2:	Determine Facility Standards	14.0	26.0	40.0	8,820
Sub-Task 2.3	Determine Facilities Needs and Costs	10.0	26.0	36.0	7,860
Sub-Task 2.4:	Identify Funding and Financing Alternatives	14.0	24.0	38.0	8,400
Sub-Task 2.5	Comparison & Feasibility Analysis	12.0	22.0	34.0	7,500
Task 3: Meetings					
Sub-Task 3.1:	Meetings	16.0	22.0	38.0	8,460
Task 4: Draft Development Impact Fee Reports					
Sub-Task 4.1:	Calculate Fees and Prepare Report	14.0	26.0	40.0	8,820
Sub-Task 4.2	Prepare Impact Fee Schedule Calculation Tool	12.0	22.0	34.0	7,500
Task 5: Report Deliverables					
Sub-Task 5.1:	Final Report	10.0	14.0	24.0	4,020
Total – Comprehensive Development Impact Fee Study		128.0	228.0	356.0	\$ 77,280

Firm fees

Willdan acknowledges herein its willingness to maintain all specified fees and services for a period of sixty (60) days from the closing date of June 18, 2024.

Notes

Please note the following:

- The fee denoted above includes attendance at up to five in-person meetings with City staff, stakeholders, and City Council. Attendance at more than five meetings and/or presentations will be billed at our current hourly rates, provided below, and actual expenses.
- Comprehensive written responses to resolve conflicts or preparation of more than one set of major revisions to the draft report, will be classified as Additional Services, and may require additional billing at hourly rates stated in the hourly rate schedule listed below. These additional fees shall only take effect once the fixed fee stated above has been exceeded.
- Our fixed fee includes all direct expenses associated with the project.
- We will invoice the City monthly based on percentage of project completed.
- City shall reimburse Willdan for any costs Willdan incurs, including without limitation, copying costs, digitizing costs, travel expenses, employee time and attorneys' fees, to respond to the legal process of any governmental agency relating to City or relating to the project. Reimbursement shall be at Willdan's rates in effect at the time of such response.
- Optional/Additional Services beyond the listed Scope of Services may be authorized by the City and will be billed at our then-current hourly overhead consulting rates.

Hourly Rates

Provided below is Willdan's hourly rate table identifying current hourly rates for additional or optional services.

Willdan Financial Services Hourly Rate Schedule		
Position	Team Member	Hourly Rate
Vice President/Director		\$250
Managing Principal	James Edison	\$240
Principal Consultant	Carlos Villarreal	\$210
Senior Project Manager		\$185
Project Manager		\$165
Senior Project Analyst		\$135
Senior Analyst		\$125
Analyst II		\$110
Analyst I		\$100



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Approval of the establishment of a pre-qualified list of Architecture and Engineering (A&E) Services Consultants to perform on-call professional services as needed (This pre-qualified list will have a performance period of three years, with the option for two one-year extensions) and Authorization for the City Manager to award contracts to the firms identified herein for on-call architecture and engineering (A&E) or other specialty services as needed on a work order basis for a fee amount not to exceed the City Manager's purchasing authority (\$50K).

RECOMMENDATION:

Staff recommends that the City Council;

1. Approve the establishment of a pre-qualified list of A&E Consultants to perform on-call professional services as needed (This pre-qualified list will have a performance period of three years, with the option for two one-year extensions);
2. Authorize the City Manager to award contracts to the firms identified herein for on-call architecture and engineering (A&E) or other specialty services as needed on a work order basis for a fee amount not to exceed the City Manager's purchasing authority (\$50K) and;
3. The total combined amount payable to consultants for state and federally funded projects will not exceed \$2,500,000 annually, with a maximum of \$7,500,000 over the three-year agreement.

Recommended Awardees by Service Category:

General A&E Services

- 4Creeks, Inc. (Englewood, CO)
- Interwest Consulting Group (Roseville, CA)
- Westwood Professional Services, Inc. (Plano, TX)
- Blair, Church & Flynn Consulting Engineers, Inc. (Clovis, CA)
- TRC (Rancho Cordova, CA)

Utilities

- Black Water Consulting Engineers, Inc. (Modesto, CA)

Transportation

- Peters Engineering Group (Clovis, CA)

Facilities

- Andrew Goodwin Designs (San Luis Obispo, CA)
- BEAM Professionals (Houston, TX)
- Melton Design Group, Inc. (Chico, CA)

Surveying Services

- Bedrock Engineering, Inc. (Fresno, CA)

Recommended Motion:

1. I move to authorize the City Manager to execute contracts with the selected firms for on-call architecture and engineering services.
2. Approve a total combined annual contract amount not to exceed \$2,500,000 for state and federally funded projects, with work orders issued as needed.
3. Approve the use of on-call consultants for local CIP projects and General Engineering Services. These projects will not count toward the contract cap for state and federal projects. Funding for these contracts will be allocated on a project-by-project basis, with task orders issued under each project's approved budget.

BACKGROUND:

The City of Hanford's current on-call architecture and engineering (A&E) services contract is set to expire, necessitating the establishment of new agreements to address the City's ongoing project and general engineering service needs.

Each year, the City undertakes several capital improvement projects—some of which are state or federally funded—along with coordinated private development projects. These projects often require architectural and engineering services to assist with the development of detailed plans, specifications, and drawings for bidding and construction activities. Other general engineering tasks include but not limited to traffic studies, cost estimating, concept level planning, plan checking, and miscellaneous reports and studies. Due to limited staffing and to ensure compliance with local, state, and federal regulations, the City contracts with qualified consultants to provide essential professional services on an as-needed basis and to augment limited staffing resources.

Further, with the recent approval of Measure H, ongoing grant funding opportunities, and increased private development, the Engineering Division anticipates a significant increase in the number of infrastructure and public works projects over the coming years. The added workload combined with the City's existing Capital Improvement Program (CIP) initiatives, will require additional resources to ensure timely and efficient completion. The City's current engineering staff does not have the capacity to manage this workload entirely in-house, making these on-call contracts vital for

maintaining project schedules, meeting community expectations, and to assist managing projects.

The scope of services under these agreements encompasses a broad range of tasks, including:

- **General Civil Engineering and Design:** Infrastructure design, plan checking, utility coordination, transportation engineering, project/construction management and inspection, and environmental assessments (NEPA/CEQA).
- **Architectural and Landscape Services:** Building maintenance improvements, HVAC and structural design, landscape architecture, and irrigation planning.
- **Surveying and Mapping:** Topographic surveys, construction staking, easement preparation, and legal descriptions.
- **Project Management:** Oversight of planning, construction, and compliance with state and federal grant requirements.
- **Miscellaneous Services:** Right-of-way acquisition, public meetings, traffic planning, AutoCAD and GIS support, and value engineering studies.

These services will also provide the support the influx of projects in support of and/or associated with Measure H funding as well as other CIP initiatives, ensuring timely delivery of critical infrastructure improvements. By contracting with on-call consultants, the City will manage workloads more effectively, minimize time-consuming RFP process, adhere to regulatory standards, and maintain high-quality service delivery for both public and private sector projects.

While executing an on-call contract with the City does not guarantee that a consulting firm will receive work during the on-call period, it is the intent of the department to engage with the firms and award specific projects to firms that are most suited to completing that specific type of work; providing the City with the most options to deliver projects.

Selection Process:

The City received seventeen (17) Statements of Qualifications (SOQs) in response to the RFQ, seeking annual on-call architecture and engineering services for the utilities and engineering division. These proposals were received on September 12, 2024, from the following:

PROPOSER	LOCATION
4Creeks, Inc.	Englewood, CO
Andrew Goodwin Designs	San Luis Obispo, CA
BEAM Professionals	Houston, TX
Bedrock Engineering, Inc.	Fresno, CA
Black Water Consulting Engineers, Inc.	Modesto, CA
Blair, Church & Flynn Consulting Engineers, Inc.	Clovis, CA
CCME, Inc.	Fresno, CA
Interwest Consulting Group	Roseville, CA
KWWA Architecture	El Monte, CA
Melton Design Group, Inc.	Chico, CA

Pavement Engineering, Inc.	Santa Clarita, CA
Peters Engineering Group	Clovis, CA
Precision Civil Engineering, Inc.	Fresno, CA
Provost & Pritchard Consulting Group	Clovis, CA
QK	Visalia, CA
TRC	Rancho Cordova, CA
Westwood Professional Services, Inc.	Plano, TX

All proposals were evaluated based on criteria outlined in the RFQ, including staff and firm qualifications, relevant experience, reference checks (record of performance), organizational approach, and understanding of the scope of work.

Following the initial proposal review, the firms with the highest scores were invited for interviews. The interview process focused on the firms' approaches to service delivery, communication, and ability to meet the City's needs effectively. The firms selected for award scored the highest during both the proposal review and the interview process.

Additionally, references for the selected firms provided positive feedback, affirming the firms' qualifications, responsiveness, and professionalism. All references stated they would work with the listed firms again.

As a result, the following 11-firms comprises the selected consultants who scored the highest during the proposal review and interviews:

General A&E Services:

- 4Creeks, Inc.
- Interwest Consulting Group
- Westwood Professional Services, Inc.
- Blair, Church & Flynn Consulting Engineers, Inc.
- TRC

Utilities:

- Black Water Consulting Engineers, Inc.

Transportation:

- Peters Engineering Group

Facilities:

- Andrew Goodwin Designs

- BEAM Professionals
- Melton Design Group, Inc.

Surveying Services:

- Bedrock Engineering, Inc.

The eleven selected firms have a diverse range of expertise providing the City with the flexibility to select the most appropriate proposal (price, timeframe, areas of expertise) from one of the firms depending on the scope of work proposed on a project-by-project basis.

Staff is recommending that the City Council authorize the establishment of a pre-qualification list with the selected firms to provide on-call Engineering Services for the Utilities and Engineering Department. It is further recommended that the City Council approve agreements for each of the consultants comprised of a three (3) year contract term with the option to auto extend by two (2) additional years upon mutual consent.

FISCAL IMPACT:

Capital Project and/or General Engineering Services; Funding is included in the annual operating budget for the respective Departments and/or Divisions.

Fund sources will be identified for any projects derived from unanticipated needs or emergencies.

Plan check services or other engineering services associated with private development will be charged to the project applicant.

State or Federally Funded projects; The total combined amount payable to consultants for state and federally funded projects will not exceed \$2,500,000 annually, with a maximum of \$7,500,000 over the three-year agreement. Locally funded projects are excluded from this cap. Funding for these contracts will be allocated on a project- by-project basis, with task orders issued under the approved budget of each project.

All projects assigned to a consultant will still require a separate written Task Order. Approval and award of specific projects will follow the City's purchasing policy dependent upon the overall cost. Projects with a contract amount exceeding the City Manager's \$50,000 purchasing authority will require City Council approval.

ATTACHMENTS:

None



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Authorization for the City Manager to execute the purchase of an Internalift Screw Pump for installation at the Wastewater Treatment Facility from Evoqua Water Technologies LLC, in the amount of \$1,499,999.16, and Appropriation of \$1,500,000 from the Wastewater Fund (2073) to cover the cost of the purchase.

RECOMMENDATION:

Recommendation:

Staff recommends that the City Council:

1. Authorize the City Manager to execute the purchase an Internalift Screw Pump from Evoqua Water Technologies LLC of Thomasville, GA in the amount of \$1,499,999.16; and
2. Appropriate \$1,500,000 from the Wastewater Fund (2073) for the procurement of the pump.

Recommended Motion:

1. I move to authorize the City Manager to purchase an Internalift Screw Pump from Evoqua Water Technologies LLC of Thomasville, GA in the amount of \$1,499,999.16; and
2. Appropriate \$1,500,000 from the Wastewater Fund (2073) for the procurement of the pump.

BACKGROUND:

This item requests the City Council's authorization to proceed with the purchase of a new internal screw pump, which will be the third of a series of the Wastewater Treatment Facility's (WWTF) headworks primary pumps. The headworks of the WWTF is the first step in the wastewater treatment process, where the City's conveyed wastewater enters the plant and undergoes primary treatment.

The primary pumps are comprised of internal "screw" pumps that lift the wastewater to begin the treatment process through the facility. Preliminary treatment comprises screening raw sewage to remove inorganics such as trash, grit, and sand.

At the March 5, 2024 City Council Meeting, City Council authorized the procurement of a emergency standby pipe which serves as a temporary backup should the primary pumps fail. At the July 2, 2024 City Council Meeting, City Council approved a construction contract with W.M. Lyles of Fresno, CA

for the installation of the emergency stand-by pump. At the time of writing this report, the installation of the standby pump is currently underway. Delivery of the standby pump took longer than anticipated from the pump manufacturer.

This standby pump is critical to the operations of the WWTF should the primary pump(s) fail resulting in a catastrophic spill. The pump will be activated upon the malfunction or failure of one of the two headwork primary pumps.

As mentioned above, this new internal lift screw pump will be the third of the facility's primary pumps. The headwork facilities was originally designed and constructed to include three primary pumps and if approved this pump will be installed on the third currently vacant pedestal within the wet well structure.

Also as previously stated in the March 5, 2024 Staff Report, both of the existing screw pumps were installed in 2002 and have a life expectancy of 20-25 years. In that report, Staff also apprised City Council that the Wastewater Division had been experiencing a noticeable degradation in pump efficiency due to either a partial plug or pump flight failure of Screw Pump #1. Therefore, due to their age and condition, Staff recommended an allocation of wastewater funds needed to budget for this third pump and was included in the Mid-Cycle Amendment to the 2024-25 Fiscal Year Budget approved at the July 2, 2024 City Council Meeting. A replacement for screw pump #1 will be made at a later date as a separate CIP project.

Procurement of this pump is a sole source purchase from Evoque Water Technologies since they are the sole manufacturer and provider of the primary pumps currently in use at the headworks facility. The cost includes manufacturing, delivery, installation, field start-up services, and taxes. Note that the quote is good through December 31, 2024 and could be subject to steel cost fluctuations until the time the pump is released for manufacturing.

Staff recommends that pump #3 be acquired at this time because of the needed reliability and added redundancy needed should Pump #1 fail and Pump #2 begin to degrade more than it has.

A minimum of two pumps are required because of the peak flows encountered especially during rain events when flows can double. Pump # 2 normally runs 24/7 while Pump #1 helps supplement #2 during rain events. Should Pump #2 fail, Pump #1 cannot by itself handle the average daily flows.

Therefore, it's critical to procure Pump #3 since neither of the two pumps can be taken out of commission and also because of the one-year lead time it takes to manufacture, deliver, and install a replacement pump.

FISCAL IMPACT:

Due to the critical need at the WTTF Headworks, approval of an appropriation in the amount of \$1,500,000 is recommended to fund a purchase order to Evoque Water Technologies LLC in the amount of \$1,499,999.16. The Purchase Order will be charged to the Wastewater Fund account No. 20730000-824612.

There are significant capital needs at the WWTF, staff will continue to monitor the fund's ability to handle critical capital needs. A review of capital fund needs and balances will be reviewed during the budget process.

ATTACHMENTS:

1. Wet Well and Screw Pump #2
2. Primary Pump #3 Pedestal

3. Headworks Wet Well and Primary Pumps









AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Review and Approval of the Annual Report for Development Impact Fees pertaining to City of Hanford Impact Fees for Parks, Circulation, Fire Protection, Police Protection, Storm Water System, Water System, Wastewater System, and Refuse/Recycling for fiscal year ending June 30, 2024.

RECOMMENDATION:

Recommendation:

That the City Council review and approve the Annual Report for Development Impact Fees pertaining to City of Hanford Impact Fees for Parks, Circulation, Fire Protection, Police Protection, Storm Water System, Water System, Wastewater System, and Refuse/Recycling for the fiscal year ending June 30, 2024.

Recommended Motion:

I move that the City Council approve the Annual Report for Development Impact Fees pertaining to City of Hanford Impact Fees for Parks, Circulation, Fire Protection, Police Protection, Storm Water System, Water System, Wastewater System, and Refuse/Recycling for the fiscal year ending June 30, 2024.

BACKGROUND:

California Government Code Section 66006 requires the city to annually review at a regular scheduled public meeting the types of fees, amounts of fees, the beginning and ending balances, interest, other income, annual expenditures and other matters concerning the above subject funds. All impact fees are included in this annual review. Additionally, a public notice of the availability of information and the time and place of the public meeting was issued in accordance.

California Government Code Section 66001(d) requires the City to make certain findings for the fifth fiscal year following the first deposit into each of the impact fee funds and every five years thereafter. For fiscal year 2024, no findings are included.

The attached Development Impact Fee Annual Report for the Fiscal Year Ended June 30, 2024, summarizes the activity of these Impact Fee funds.

FISCAL IMPACT:

This report summarizes financial activity in fiscal year 2023/2024. There is no General Fund impact.

ATTACHMENTS:

1. DEVELOPMENT IMPACT FEE REPORT 2023-24



CITY OF HANFORD
DEVELOPMENT IMPACT FEE
REPORT

FY2023/2024

CITY OF HANFORD
Impact Fee Fund Summary
GC 66006
FY 2023-2024

Fund	Beginning Fund Balance	Impact Fees Collected	Interest Earned	Other Misc. Revenue, Credits, and Refunds	Total Revenue for Fiscal Year	Total Expenditures for Fiscal Year	Ending Fund Balance
Park	5,705,236	1,073,613	227,282	205,318	1,506,213	(1,236,661)	5,974,788
Circulation	6,811,991	2,114,724	304,571	240,562	2,659,857	(103,529)	9,368,319
Fire Protection	741,460	191,390	33,850	187,065	412,305	(233,526)	920,238
Police Protection	(170,397)	106,885	0	136,844	243,728	(47,140)	26,192
Storm Water	523,541	238,849	26,090	17,471	282,410	(555)	805,396
Water System	2,445,756	991,301	119,503	129,658	1,240,462	(162,362)	3,523,856
Wastewater System	3,527,782	851,634	158,384	121,969	1,131,987	(3,411)	4,656,358
Refuse/Recycle	158,673	207,191	10,254	4,694	222,139	(8,572)	372,240
	19,744,043	5,775,587	879,934	1,043,580	7,699,101	(1,795,756)	25,647,388

CITY OF HANFORD
Public Improvement Summary
GC 66006
FY 2023-2024

CIP #		Expense	% of Total Cost of Improv. Funded from Impact Fees	Approx. date to commence (construction), if funds available to complete project
	Parks			
823609	PARK DEV OVERSIZING REQUIREMNT	672,608	100%	ONGOING
824613	T929 UI PARK LAND ACQ&IMP	546,798	100%	2023-2024
824615	T929 U#1 PARK LIGHT+D FOUNTAIN	12,210	100%	2023-2024
	Sub-Total	1,231,616		
	Circulation			
820644	TRAF SIGNAL/12TH AV TO HUME	2,506	100%	ONGOING
822645	9TH AVE & LACEY SIGNAL	1,718	94%	2023-2024
823619	LACEY WIDEN/ RECON/ 10TH-SIERRA	3,521	34%	ONGOING
824614	T929 UI RIGHT OF WAY & ST IMP	91,689	100%	2023-2024
	Sub-Total	99,435		
	Fire Protection*			
824601	FIRE STATION 5 LAND ACQ	232,800	100%	ONGOING
	Sub-Total	232,800		
	Police Protection*			
822639	POLICE DEPT PARKING LOT EXPNSN	47,140	100%	2021-22
	Sub-Total	47,140		
	Storm Water*			
	Sub-Total	-		
	Water System*			
823637	NEW WATER SUPPLY WELL	159,741	55%	ONGOING
	Sub-Total	159,741		
	Wastewater System*			
	Sub-Total	-		
	Refuse/Recycling			
823007	COMMERCIAL/ RECYCLE DUMPSTERS	11,860	14%	ONGOING
823008	AUTOMATED REFUSE CONTAINERS	(3,498)	19%	2021-22
	Sub-Total	8,362		
	Grand Total	1,779,092		

DEVELOPMENT IMPACT FEES

FEE NAME/DESCRIPTION OF SERVICE	FEE AMOUNT		
LAND USE CATEGORY	FIRE FEE PER UNIT	POLICE FEE PER UNIT	WATER FEE PER UNIT
Low Density Residential	\$636.55	\$345.42	\$2,891.82
Medium Density Residential	\$357.83	\$510.77	\$1,616.58
High Density Residential	\$179.79	\$165.65	\$978.75
Neighborhood Commercial	\$0.53	\$0.71	\$1.23
Regional Commercial	\$0.44	\$0.31	\$1.08
Service Commercial	\$0.67	\$0.10	\$1.49
Highway Commercial	\$0.53	\$0.24	\$1.23
Office Residential	\$0.23	\$0.42	\$1.32
Office	\$0.25	\$0.26	\$0.85
Neighborhood Mixed Use	\$0.53	\$0.68	\$1.54
Corridor Mixed Use	\$0.53	\$0.46	\$1.39
Downtown Mixed Use	\$0.09	\$0.40	\$0.30
Light Industrial	\$0.15	\$0.01	\$1.74
Heavy Industrial	\$0.15	\$0.01	\$1.77
Open Space	\$0.00	\$0.00	\$0.00
Public Facilities	\$0.06	\$0.09	\$1.49
Educational Facilities	\$0.00	\$0.00	\$0.78
LAND USE CATEGORY	WASTEWATER FEE PER UNIT	PARKS FEE PER UNIT	STORM DRAIN FEE PER ACRE
Low Density Residential	\$2,476.57	\$3,192.47	\$2,814.62
Medium Density Residential	\$1,982.50	\$2,859.09	\$3,096.08
High Density Residential	\$1,807.62	\$2,525.70	\$3,377.53

DEVELOPMENT IMPACT FEES

FEE NAME/DESCRIPTION OF SERVICE	FEE AMOUNT		
LAND USE CATEGORY	WASTEWATER FEE PER UNIT	PARKS FEE PER UNIT	STORM DRAIN FEE PER ACRE
Neighborhood Commercial	\$0.83	\$0.00	\$5,066.31
Regional Commercial	\$0.86	\$0.00	\$5,066.31
Service Commercial	\$0.84	\$0.00	\$5,066.31
Highway Commercial	\$0.83	\$0.00	\$5,066.31
Office Residential	\$1.79	\$0.00	\$3,377.53
Office	\$0.84	\$0.00	\$5,066.31
Neighborhood Mixed Use	\$1.63	\$0.00	\$5,066.31
Corridor Mixed Use	\$1.17	\$0.00	\$5,066.31
Downtown Mixed Use	\$0.51	\$0.00	\$4,051.07
Light Industrial	\$0.97	\$0.00	\$4,503.39
Heavy Industrial	\$1.11	\$0.00	\$4,503.39
Open Space	\$0.00	\$0.00	\$0.00
Public Facilities	\$0.84	\$0.00	\$3,940.46
Educational Facilities	\$0.52	\$0.00	\$3,940.46

*Fee for residential uses is per dwelling unit. Fee for other uses is per building square foot.

*Wastewater treatment portion of fee is based on standard household strength waste of 200 MG/L B.O.D. and 200 MG/L S.S. and 300 gal./day flow rate

FEE NAME/DESCRIPTION OF SERVICE	FEE AMOUNT
LAND USE CATEGORY	REFUSE FEES PER UNIT
Residential Container/Equip	\$576.22
Commercial	
Per No. of 1 cubic yard dumpsters	\$1,009.87
Per No. of 1 cubic yard dumpsters	\$1,271.25
Per No. of 1 cubic yard dumpsters	\$1,354.42
Per No. of 1 cubic yard dumpsters	\$1,722.72

DEVELOPMENT IMPACT FEES

FEE NAME/DESCRIPTION OF SERVICE	FEE AMOUNT	
LAND USE CATEGORY	CIRCULATION FEES PER UNIT	
Single-Family Residential	\$3,995.72	Dwelling Unit
Multi-Family Residential	\$2,805.77	Dwelling Unit
Senior Residential/Assisted Living	\$1,452.99	Dwelling Unit
Hotel/Motel (per room)	\$2,543.63	Room
Retail (<100KSF) unless specifically listed below	\$11,648.16	1,000 Sq Ft
Retail (>100KSF)	\$8,796.02	1,000 Sq Ft
Convenience Store- Without Gas Station	\$105,434.25	1,000 Sq Ft
Gas Station- With or Without Convenience Store	\$15,412.20	Fueling Position
Motor Vehicle Sales, Minor and Major Repair	\$2,206.66	1,000 Sq Ft
Restaurant- No Drive-thru	\$22,529.56	1,000 Sq Ft
Restaurant with Drive-thru- Stand-alone	\$102,969.74	1,000 Sq Ft
Restaurant with Drive-thru Within a Shopping Center	\$27,683.03	1,000 Sq Ft
General Office/Bank	\$4,957.67	1,000 Sq Ft
Medical/Dental Office	\$10,028.21	1,000 Sq Ft
Government	\$3,035.57	1,000 Sq Ft
Industrial/Service Commercial	\$1,995.41	1,000 Sq Ft
Warehouse/Distribution < 100,000 sq ft	\$1,645.90	1,000 Sq Ft
Warehouse/Distribution > 100,000 sq ft	\$791.53	1,000 Sq Ft
Mini Storage > 100,000 sq ft	\$791.53	1,000 Sq Ft
Religious Institution or Facility	\$2,155.92	1,000 Sq Ft
Other uses option	\$386.92	Trip
TYPE OF FEE	DEVELOPMENT FEE FOR SINGLE FAMILY RESIDENCE	
Fire, Police, Water, Wastewater, Parks	\$9,542.84	
Circulation	\$4,532.71	
Storm Drainage	\$619.22	
Refuse	\$576.22	
Total	\$15,270.99	
SANITARY SEWER AREA	BENEFIT DISTRICT FEE PER ACRE	
9th Ave Area of Benefit District (10th Ave to Hwy 43)		
Area generally south of Hanford-Armona Road	\$990.64	
Area located Between Hanford-Armona Rd and Lacey Blvd	\$1,472.62	
Area located between Lacey Blvd and Grangeville Blvd	\$2,218.51	
Area located between Grangeville Blvd and Hwy 43	\$3,059.10	
12th Ave Area of Benefit District (11-1/2 Ave to 13th Ave)		
Area generally south of Hanford-Armona Road	\$684.70	
Area located Between Hanford-Armona Rd and Lacey Blvd	\$1,056.91	
Area located between Lacey Blvd and Grangeville Blvd	\$1,437.01	
Area located between Grangeville Blvd and Fargo Ave	\$1,909.36	
Area located between Fargo Ave and Flint Ave	\$2,643.51	

DEVELOPMENT IMPACT FEES

FEE NAME/DESCRIPTION OF SERVICE	FEE AMOUNT	UNIT
IMPACT FEE CREDITS FROM WATER AND WASTEWATER		
Water:		
8" Pipeline	\$77.23	Lineal Foot
12" Pipeline	\$205.83	Lineal Foot
18" Pipeline	\$249.83	Lineal Foot
Groundwater Well (1,500 gpm)	\$1,426,008.52	Each
Pump Station (3 @ 3,100 gpm)	\$4,755,899.08	Each
Pump Station (4 @ 1,400 gpm)	\$3,253,474.19	Each
Storage Tank (1.5 MG)	\$4,063,217.59	Each
Land for Storage Tank or Well	\$47,523.36	Acre
Wastewater:		
8" Gravity Main	\$211.48	Lineal Foot
12" Gravity Main	\$358.25	Lineal Foot
15" Gravity Main	\$375.53	Lineal Foot
18" Gravity Main	\$405.39	Lineal Foot
21" Gravity Main	\$439.95	Lineal Foot
24" Gravity Main	\$457.23	Lineal Foot
27" Gravity Main	\$527.94	Lineal Foot
30" Gravity Main	\$620.65	Lineal Foot
36" Gravity Main	\$771.48	Lineal Foot
18" Force Main	\$361.64	Lineal Foot
Lift Station	\$1,642.88	GPM
IMPACT FEE CREDITS FROM STORM DRAINAGE IMPACT FEES		
Storm Drain:		
12" Pipeline	\$114.06	Lineal Foot
21" Pipeline	\$260.84	Lineal Foot
24" Pipeline	\$307.97	Lineal Foot
30" Pipeline	\$378.66	Lineal Foot
36" Pipeline	\$449.38	Lineal Foot
42" Pipeline	\$520.08	Lineal Foot
48" Pipeline	\$614.36	Lineal Foot
60" Pipeline	\$708.63	Lineal Foot
96" Pipeline	\$1,205.14	Lineal Foot
Retention Basin (0 to 5 acre feet)	\$39,254.39	Acre Foot
Retention Basin (Over 5 to 10 acre feet)	\$23,435.50	Acre Foot
Retention Basin (Over 10 to 20 acre feet)	\$13,336.05	Acre Foot
Retention Basin (Over 20 acre feet)	\$8,098.17	Acre Foot

DEVELOPMENT IMPACT FEES

IMPACT FEE CREDITS FROM CIRCULATION AND PARKS IMPACT FEE ACCOUNTS		
Circulation- Arterial and Major Arterial Street		
Median Curb (both sides)	\$23.76	Lineal Foot
Median Concrete (16' wide)	\$190.10	Lineal Foot
Pavement (one side- 22' wide)	\$94.56	Lineal Foot
Right of Way in Exceeding 42' Wide Half Street	\$2.45	Square Foot
Circulation- Collection Street		
Pavement (one side- 18' wide)	\$67.43	Lineal Foot
Circulation- Street Intersections		
Traffic Signal	\$475,233.60	Each
Intersection Improvements (full)	\$475,233.60	Each
Parks- Must be Identified in General Plan		
Park Improvements	\$218,910.60	Acre
Land for Park	\$106,927.56	Acre



**AGENDA
STAFF REPORT**

MEETING DATE: 12/3/2024	AGENDA SECTION: CONSENT CALENDAR
--------------------------------	---

SUBJECT:

Adoption of Ordinance No. 2024-09, Adding Municipal Code 3.50 City of Hanford Sales and Use Tax Ordinance of 2024

RECOMMENDATION:

Recommendation: That the City Council, by motion, Adopt Ordinance No. 2024-09, Adding Municipal Code 3.50 City of Hanford Transactions and Use Tax Ordinance of 2024

Recommended Motion: I move to adopt Ordinance No. 2024-09, Adding Municipal Code 3.50 City of Hanford Transactions and Use Tax Ordinance of 2024

BACKGROUND:

On July 2, 2024, Resolution 2024-21-R approved submission to City of Hanford voters of ballot language and necessary papers to be filed with the Kings County Elections Office for November 5, 2024 election. 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.

As of the date of this report Measure H has been approved by approximately 62% of voters on November 5, 2024, pending final certification by the Kings County Registrar of Voters. An ordinance to allow the City to implement Measure H is required and will be part of the required submission to the California Department of Tax and Fee Administration (CDTFA).

The ballot language included funding categories consistent with the approved 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 language is provided below:

" Measure H": 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?

Ordinance 2024-09, City of Hanford Transactions and Use Tax Ordinance of 2024

As presented July 2, 2024, the City proposed to amend the Hanford Municipal Code to include specific accountability measures. The final version of the ordinance includes a transactions and use tax rate (1%), a provision giving voters the authority to end the levy of the tax. Every 10 years a report shall be presented to City Council and they may elect to suspend the measure, which then may be subsequently re-established by voters. In addition, the Sales and Use Tax Accountability Measures Ordinance 2024-10 (in separate item) shall amend the Hanford Municipal Code to include accountability measures for Measure H.

Final adoption of this ordinance is hereby presented to City Council, and was introduced November 19, 2024. This action will allow for timely submission of all documents to the CDTFA for implementation of Measure H. No changes are recommended to this ordinance as what is presented has been presented and approved by voters.

FISCAL IMPACT:

With the adoption of Ordinance 2024-09 the City is projected to bring in approximately \$19 million annually that may be used for public safety and essential services as presented to the voters. This funding will be reviewed by an Oversight Board and approved by City Council prior to expenditures.

ATTACHMENTS:

1. Ordinance 2024-09 City of Hanford Transactions and Use Tax Ordinance of 2024

Ordinance 2024-09
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:

3.50.010 Title.

3.50.020 Operative Date.

3.50.030 Purpose.

3.50.040 Contract with State.

3.50.050 Transactions Tax Rate.

3.50.060 Place of Sale.

3.50.070 Use Tax Rate.

3.50.080 Adoption of Provisions of State Law.

3.50.090 Limitations on Adoption of State Law and Collection of Use Tax.

3.50.100 Permit Not Required.

3.50.110 Exemptions and Exclusions.

3.50.120 Amendments.

3.50.130 Enjoining Forbidden.

3.50.140 Severability.

3.50.150 Effective Date.

3.50.160 Termination Date.

3.50.170 Coordination with Provisions of Sales Tax Accountability Measures Ordinance.

3.50.180 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 with Provisions 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 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



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: CONSENT CALENDAR

SUBJECT:

Adoption of Ordinance No. 2024-10, Adding Municipal Code 3.60 City of Hanford Sales and Use Tax Accountability Measures

RECOMMENDATION:

Recommendation: That the City Council, by motion, adopt Ordinance No. 2024-10, Adding Municipal Code 3.60 City of Hanford Sales and Use Tax Accountability Measures

Recommended Motion: I move to adopt Ordinance No. 2024-10, Adding Municipal Code 3.60 City of Hanford Sales and Use Tax Accountability Measures

BACKGROUND:

On July 2, 2024, Resolution 2024-21-R approved submission to City of Hanford voters submission of ballot language and necessary papers to be filed with the Kings County Elections Office for November 5, 2024 election. 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. As of the date of this report Measure H has been approved on November 5, 2024 by approximately 62% of voters pending final certification by the Kings County Registrar of Voters. This ordinance will establish accountability measures in the City's Municipal Code after implementation of Measure H.

The ballot language included funding categories consistent with the approved 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 language is provided below:

" Measure H": 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?

Ordinance 2024-10, Sales and Use Tax Accountability Measures

As presented July 2, 2024, the City proposed to amend the Hanford Municipal Code to include specific accountability measures. A final version of Chapter 3.60 Sales and Use Tax Accountability Measures is attached with this agenda. The language in the amendment presented to voters 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.

Final adoption of this ordinance is hereby presented for City Council's action, introduction of the ordinance was done November 19, 2024. This action will establish accountability requirements for Measure H. Upon final adoption, and seating of a new City Council, staff will bring back an item for discussion on December 17, 2024 for adoption of a resolution to establish a Citizens Oversight Board.

FISCAL IMPACT:

With adoption of Ordinance 2024-10 the City establishes accountability measures for Measure H funds. This will establish processes for the review and approval of expenditures for Measure H that are in addition to the standard processes for appropriation of all city funds. Measure H is projected to bring in approximately \$19 million annually for the city for public safety and essential services as presented to voters November 5, 2024.

ATTACHMENTS:

1. Ordinance 2024-10 City of Hanford Sales and Use Tax Accountability Measures

Ordinance 2024-10
City of Hanford Sales and Use Tax Accountability Measures

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 be 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



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: PUBLIC HEARING

SUBJECT:

Zone Text Amendment No. 0007-24: A Public Hearing to accept public comments related to a request to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits. Location: Citywide.

PROJECT: Zone Text Amendment No. 0007-24: a request to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits.

LOCATION: Citywide

PLANNER: Gabrielle Myers, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce and waive the first reading of Ordinance No. 24-11, approving Zone Text Amendment No. 0007-24.

RECOMMENDED MOTION

1. I move to introduce and waive the first reading of Ordinance No. 24-11, approving Zone Text Amendment No. 0007-24.

PROJECT DESCRIPTION

Zone Text Amendment No. 0007-24 is a request to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits.

See the proposed edits in **Attachment 1**.

*Note: deletions appear in ~~strikeout~~, additions appear in **highlighted bold text**.*

Notes:

Changes Made:

1. Deletions of outdated references

- a. Removal of reference to design guidelines
- b. Removal of references to the East Downtown Overlay District
- c. Removed reference to 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, since office sizes in various square footage limits were added to the land use table

2. Clarifications of Requirements

- a. Added information regarding the Airport Land Use Compatibility Plan as it relates to the Airport Protection Zone District
- b. Added clarification regarding how multi-family units are counted (per site not per building)
- c. Added clarification to the land use table that duplexes shall only be permitted on corner lots in single-family zone district, if the requirements of Government Code Section 65852.21 are satisfied
- d. Added clarification to the land use table that multi-family dwellings of four or less units may be allowed with a CUP only when located on a corner lot in the R-L zones
- e. Noted that a Home Occupation permit is required for Cottage Food Operation, changed from A to P
- f. Noted that expansion of existing nonconforming residential use is identified in 17.90.070
- g. Noted the definition of guest house is without a kitchen
- h. Noted home occupations require a home occupation permit
- i. Noted the keeping of household pets is limited through Section 6.12.010
- j. Added regulations for temporary construction living quarters, noting the living quarters must be a manufactured dwelling unit on permanent foundation with a six-month limit
- k. Noted mini-warehouse or self-storage facility regulations to be located on a parcel with frontage on an arterial or collector street
- l. Noted site plan may be required for various uses, even if shown as P
- m. Deleted reference to marijuana cultivation, changed to cannabis cultivation, manufacture, distribution, transportation, microbusiness, non-storefront dispensaries and laboratory testing, consistent with approved definition/land use category
- n. Changed outdoor advertising structure to billboard (renumbering required)
- o. Added event space to the club, lodge, or private meeting hall land use category/definition
- p. Added library, museum, or cultural facility as a permitted use in PF
- q. Added public safety facility or station as a permitted use in C-S and I-H
- r. Added reference to Section 17.60.140 of the HMC, as it pertains to Automobile and pick-up sales, new and used and used only
- s. Added clarification regarding Food Produce Stands, that they are only permitted where produce is grown on the site
- t. Renamed Marijuana Dispensary or Sales to Cannabis Retail/Dispensary
- u. Retail sales solely via internet, direct mail, or telephone - 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.
- v. Added Manufactured home on permanent foundation as a permitted use in mixed-use zones where residential is permitted, as required by law.
- w. Added clarification to the mobile home park land use description – noting two or more mobile homes or manufactured dwellings on a site require a 5-acre minimum.
- x. Added information to the land use standards that multi-family dwellings in mixed-use are

permitted at a ratio of one unit per 1,500 sq. ft. of site area (consistent with the High-Density Residential density allowance)

- y. Added medical spas as a service land use, permitted in the zones which permit office C-N, C-R, C-S, MX-N, MX-C, MX-D, O-R, and O
- z. Added motor vehicle window tinting as a permitted use in C-S, C-H, I-L, and I-H and a conditionally permitted use in MX-C
- aa. Changed recycling, small collection facility (CRV only) from a permitted use to a permitted use with an administrative approval (to allow for staff review through an AA instead of Site Plan Review)
- bb. Deletion of the requirement on corner lots to locate the driveway on the side of the lot adjacent to the interior lot line, since this is not always the ideal location from an access standpoint (R-L)
- cc. Added clarification that pool setbacks are measured from the water's edge
- dd. In R-L, noted required parking spaces may not be provided within any front, side, or rear building setback area, except for uncovered driveways. Deleted J. to eliminate redundancy - 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.-
- ee. Added reference to the fencing section 17.50.110 for the residential zones
- ff. In C-S, C-H, and O deleted off-street parking requirement 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., because 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).
- gg. Added reference to Section 17.50.160 for measurement of setbacks
- hh. Added reference to Section 17.50.170 for exceptions to setbacks.
 - ii. added reference to Section 17.50.180 for measurement of height.
 - jj. added reference to Section 17.50.190 for exceptions to height.
- kk. added various definitions that were missing from 17.96 and .98

3. Language to capture State law:

- a. SB9
- b. ADU/JADU Updates
- c. Senate Bill No. 234 permitting day care between 9 and 14 children in residential zone districts as a permitted use
- d. Changed electric vehicle charging stations to a permitted use,. In accordance with AB 1236
- e. Added manufactured home on permanent foundation as an A in R-M and R-H, as required by State law
- f. Added a note that Federal and State agencies are exempt from zoning restrictions, as it relates to Government Offices; local, state, or federal
- g. R-L: Per Government Code Section 65852.21, multi-family dwellings proposed for any single-family zone district comprised of no more than two residential units 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).
- h. Eliminated restrictions for second dwelling units on lots less than 5,000 sq. ft. in R-L and R-M
- i. Garage conversion allowances

4. Council – directed changes/Land Use Table Additions/Deletions

- a. Regarding measurement of height
- b. ADUs as a permitted use without Administrative Approval (site plan still required)

- c. Added auditoriums as a permitted use in C-H, similar to allowed zones for convention or conference center
- d. Added theater, live or movie, with incidental alcohol sales as a conditionally permitted use where theaters, live or movie are permitted (C-R and MX-D); noted an ABC Type 41 or 47 license is required
- e. Added Manufacturing and Processing Uses to the Land Use Table and definitions:
 - 1. Agricultural Technology: P in C-S, I-L, I-H
 - 2. Beverage Production: P in C-S, I-L, I-H
 - 3. Blacksmith or metal products fabrication: C in C-S, P in I-L, I-H
 - 4. Boat building and repair: P in C-S, I-L, and I-H
 - 5. Chemical products manufacturing: CUP in I-H
 - 6. Clothing production: CUP in C-S, P in I-L, I-H
 - 7. Concrete and cement production: C in I-H
 - 8. Electrical equipment or component manufacturing: C in C-S, P in I-L and I-H
 - 9. Fabric Product Manufacturing/Textile Production: C in C-S, P in I-L and I-H
 - 10. Food and Beverage Manufacturing (large scale): P in I-L, I-H
 - 11. Furniture and cabinet shops: C in C-S, P in I-L, I-H
 - 12. Glass production: C in C-S, P in I-L, I-H
 - 13. Jewelry Manufacturing P in C-S, I-L, I-H
 - 14. Lumber and wood product manufacturing: C in C-S, P in I-L, I-H
 - 15. Machinery Manufacturing (no punch presses or drop hammers over 20 tons): C in C-S and P in I-L, I-H
 - 16. Machinery Manufacturing with punch presses or drop hammers over 20 tons: C in I-L, I-H
 - 17. Monument or tombstone works: C in C-S and P in I-L, I-H
 - 18. Motor vehicle manufacturing: P in I-L and I-H
 - 19. Paint Manufacturing: CUP in I-H
 - 20. Pharmaceutical manufacturing: P in I-L and I-H
 - 21. Plastics and rubber products: P in I-L and I-H
 - 22. Printing and publishing: P in C-S, I-L, and I-H
 - 23. Structural clay and pottery productions: C in C-S, P in I-L and I-H
 - 24. Surgical and medical instrument manufacturing: C in C-S, P in I-L and I-H
 - 25. Telecommunication component manufacturing: C in C-S, P in I-L and I-H
 - 26. Tire recapping, retreading, and rebuilding: C in I-L, P in I-H
- f. Removed the live/work facility land use and definition to only permit residential where expressly permitted; mixed use permitted where both are allowed
- g. Removed the residential dwelling locate in the same building with office or commercial use and definition to only permit residential where expressly permitted; mixed use permitted where both are allowed
- h. Added automobile and/or motorcycle parts (retail); no installation as a permitted use in all commercial and mixed-use zones
- i. Tobacco or smoke shop- Added distance requirements from schools, sensitive uses and other tobacco or smoke shops; added as a permitted use in C-H, changed from a permitted use to a conditionally permitted use in MX-C and eliminated from the MX-D district
- j. In residential zones, permitted pool equipment to be located a minimum of 3 feet from the property line or block wall
- k. In R-M and R-H, added for multi-family development projects providing 10 units or more, required parking spaces, covered and uncovered, may be located a minimum of five (5) feet from any rear or side property line and 10 feet from a street-side property line.
- l. Added tandem parking allowances/restrictions to Chapter 17.54.110.

- m. Deleted reference to causing complaints from neighbors from the Storage and Repair of Vehicles section, 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.
 - n. Added feather signs as illegal signage, removed reference from temporary signage allowances for feather signs
 - o. Added requirements for a 36" block wall for shielding vehicle glare from drive-thrus; removed .5 acre size restriction
5. City Attorney recommended changes to:
- a. Eliminate discretion from the site plan review process, to ensure ministerial criteria for evaluation (throughout)
 - b. Eliminated Section 17.30.100 C. Exterior alterations or additions to buildings shall be minimized to the extent possible, since this implies discretion in the review process.
 - c. Eliminated portion of Section 17.52.040 C. and 17.52.050 B. The Community Development Director or the City Engineer may determine other requirements for the contents of construction landscape and irrigation plans, to ensure that discretionary action is not take for a ministerial activity
 - d. 17.52.060 Landscape Standards A. 3. Eliminated that an alternative type of barrier may be approved by the Community Development Director, so as to eliminate discretionary action.
 - e. 17.54.040 Parking Space Requirements, eliminated the authority of the Site Plan Review Committee to require additional parking for various uses
 - f. The master sign program was made consistently ministerial
 - g. Added Temporary Uses as a non-discretionary application type
 - h. Changed the site plan review process and administrative approval process to eliminate discretionary action/Committee
 - i. Make changes to the Code Enforcement section to detail appeals/process
 - j. eliminated discretion regarding enforcement of additional conditions upon a significant environmental impact for a project

PROJECT EVALUATION

The changes proposed were initiated by staff, based on internal conflicts with the zoning ordinance, the need for clarification and addition of reference, grammatical clean-ups, land use addition recommendations (reviewed by council in study sessions), edits for conformance with State law, and changes advised by legal counsel.

Staff presented two rounds of proposed municipal code edits to the City Council during study sessions held on:

1. December 5, 2023 Study Session:
<https://hanfordca.portal.civicclerk.com/event/1026/files/agenda/2996>
2. July 2, 2024 Study Session:
<https://hanfordca.portal.civicclerk.com/event/1997/files/agenda/3185>

The proposed amendments were presented to the City of Hanford Planning Commission on November 12, 2024. There were three questions from the Commission:

1. On page 38 of the packet, the R-L-5 zone district notes that with a conditional use permit, multi-family dwellings of three to four units may be permitted on corner lots, is there sufficient room to accommodate a multi-family dwelling on a corner lot in R-L-5? Staff responded that

there are various parcels in the R-L-5 zone district that exceed the 5,000 sq. ft. minimum, including lots upwards of 20,000 sq. ft. which could accommodate a ratio of one unit per 5,000 sq. ft.

2. On page 166 of the packet, there is an addition to Property Maintenance which prohibits tarps for temporary canopies, canopies, enclosures, “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.” There was a question regarding existing tarp-covered carports and if they would be grandfathered in. Staff responded that often time, permits are not obtained for these structures, which would make them illegally existing non-conforming; therefore, tarp-covered carports without permits would not be grandfathered in.
3. There was a question inquiring what feather signs are. Staff responded by showing an image of a feather sign from a previous City Council study session presentation.

There were no public comments related to the item.

The item was recommended for approval to the City Council by the Planning Commission on a 5, 0 vote by adoption of Resolution No. 2024-19.

ZONING ORDINANCE EXCERPTS

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.

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:

1. That the addition of the use to the land use table will be in accordance with the purposes of this title and of the zone district or districts in which the use will be permitted;
2. That the use has similar basic characteristics as the present uses allowed in the district;
3. 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;

4. 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.

17.86.030 Findings

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](#):

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.

A zone change or text amendment may be denied if the reviewing authority finds one (1) or more of the findings in this section cannot be made.

In accordance with Section 17.86.030, before a zone change or text amendment may be approved, all of the following findings shall be made by the reviewing authority:

1. That the amendment is internally consistent with the goals, objectives, and policies of the General Plan and Zoning Ordinance;

Analysis: The changes proposed to the HMC include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits. That each amendment request has been evaluated for consistency with the General Plan and recommended for approval if deemed consistent with the goals, objectives, and policies of the General Plan and Zoning Ordinance.

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

Analysis: That the changes proposed are minor in nature or extrapolate on an already permitted overall use to provide further clarification. The amendments proposed have been evaluated to ensure the changes will not be detrimental to the public health, safety, or welfare of the community.

3. That the amendment would maintain the appropriate balance of land uses within the City; and
Analysis: That jobs-housing balance is achieved, by increasing opportunities for people to work and live in close proximity. The ratio is expressed as the number of jobs divided by the number of housing units. The jobs-housing balance is a general tool for analyzing where people work, where they live, and how effectively they can travel between the two. In the planning area, the existing jobs-housing balance ratio in 2013-2014 was 1.17. It is estimated that the implementation of the General Plan would increase the jobs-housing balance by 0.45 to 1.62, which would make the planning area a jobs-rich area. The proposed text amendments recommended for approval are all consistent with the General Plan and will not affect the City's ability to maintain an appropriate balance of land uses within the City.

4. That the anticipated land uses on the subject site would be compatible with existing and future surrounding uses.

Analysis: The comprehensive edits to the Zoning Ordinance include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits consistent with the General Plan and Zoning Ordinance. The amendments proposing changes to land uses were based on existing land use categories and similar uses within zones. The anticipated land uses proposed through the zoning ordinance in their respective zone districts will be compatible with existing and future surrounding uses.

ENVIRONMENTAL REVIEW

The proposed zone text amendment is exempt under Section 15061(b) (3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed project is a text amendment that is not associated with a physical development, therefore there are no physical impacts that will result from the project.

PUBLIC COMMENT

Noticing of the project was published in the newspaper on November 15, 2024. Since the zone text amendments affect the entire city, which would result in a mailout exceeding 1,000 property owners, individual notice was not mailed to property owners, in accordance with Section 17.70.100 Notice Requirements of the Hanford Municipal Code:

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 (1/4) 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.

No comments have been received as of the date of preparation of this report.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce and waive the first reading of Ordinance No. 24-11, approving Zone Text Amendment No. 0007-24.

ATTACHMENTS:

1. Ordinance No. 11-24
2. Attachment 1 Proposed Zoning Ordinance Amendments
3. Notice of Exemption 2024-79

ORDINANCE NO. 24-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HANFORD APPROVING ZONE TEXT AMENDMENT NO. 0007-24, A REQUEST BY THE CITY OF HANFORD TO CONDUCT A COMPREHENSIVE AMENDMENT TO THE HANFORD MUNICIPAL CODE TITLE 17, AS DIRECTED BY THE CITY COUNCIL OF THE CITY OF HANFORD. CHANGES INCLUDE VARIOUS LAND USE CHANGES, DEFINITION CHANGES AND UPDATES, REGULATION CHANGES, SPELLING AND GRAMMAR EDITS, AS WELL AS LEGALLY ADVISED EDITS.

LOCATION: CITYWIDE

The City Council of the City of Hanford does ordain as follows:

SECTION 1: The Hanford Municipal Code Title 17, the Zoning Ordinance contains regulations to ensure the public health, safety, peace, comfort, convenience, prosperity and general welfare of the citizens of Hanford, including zoning categories, allowed uses and development standards.

SECTION 2: The City Council has held a public hearing on the Zone Text Amendment No. 0007-24, to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits. The proposed ordinance changes are attached as **Exhibit A**;

SECTION 3: The City Council finds that the adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the following section of the CEQA Guidelines, 14 Cal. Code of Regulations, Chapter 3.

- a) The ordinance is exempt under Section 15061(b) (3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 4: The proposed amendment was evaluated for consistency with the General Plan and the Zoning Ordinance in accordance with Sections 17.86.030 and based on the following findings:

1. That the amendment is internally consistent with the goals, objectives, and policies of the General Plan and Zoning Ordinance;

Analysis: The changes proposed to the HMC include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits. That each amendment request has been evaluated for consistency with the General Plan and recommended for approval if deemed consistent with the goals, objectives, and policies of the General Plan and Zoning Ordinance.

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

Analysis: That the changes proposed are minor in nature or extrapolate on an already permitted overall use to provide further clarification. The amendments proposed have been evaluated to ensure the changes will not be detrimental to the public health, safety, or welfare of the community.

3. That the amendment would maintain the appropriate balance of land uses within the City; and

Analysis: That jobs-housing balance is achieved, by increasing opportunities for people to work and live in close proximity. The ratio is expressed as the number of jobs divided by the number of housing units. The jobs-housing balance is a general tool for analyzing where people work, where they live, and how effectively they can travel between the two. In the planning area, the existing jobs-housing balance ratio in 2013-2014 was 1.17. It is estimated that the implementation of the General Plan would increase the jobs-housing balance by 0.45 to 1.62, which would make the planning area a jobs-rich area. The proposed text amendments recommended for approval are all consistent with the General Plan and will not affect the City's ability to maintain an appropriate balance of land uses within the City.

4. That the anticipated land uses on the subject site would be compatible with existing and future surrounding uses.

Analysis: The comprehensive edits to the Zoning Ordinance include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits consistent with the General Plan and Zoning Ordinance. The amendments proposing changes to land uses were based on existing land use categories and similar uses within zones. The anticipated land uses proposed through the zoning ordinance in their respective zone districts will be compatible with existing and future surrounding uses.

SECTION 5: The City Council of the City of Hanford does ordain that Title 17 is hereby amended, as shown in **Exhibit A**.

SECTION 6: That the ordinance shall take effect thirty (30) days after its passage, 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 at a regular meeting of the City Council of the City of Hanford duly called and held on December 3, 2024, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

APPROVED

Travis Paden
MAYOR of the City of Hanford

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, do hereby certify the foregoing ordinance was duly introduced at a regular meeting of the City Council of the City of Hanford on the 3rd day of December, 2024, and it was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the 17th day of December 2024.

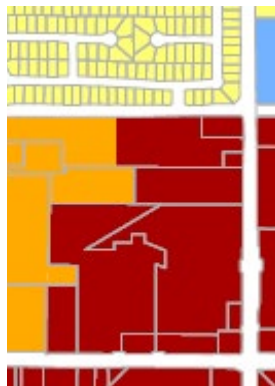
NATALIE CORRAL
CITY CLERK

Exhibit A
Zone Text Amendment No. 0007-24

Note: not included as part of the agenda packet, since it appears as Attachment 1

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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

Effective June 1, 2017

Last Printed 07/11/2017

**CITY OF HANFORD
MUNICIPAL CODE
TITLE 17

ZONING ORDINANCE**

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
Chapter 17.12 MEDIUM DENSITY RESIDENTIAL ZONE	53
Chapter 17.14 HIGH DENSITY RESIDENTIAL ZONE	60
Chapter 17.16 NEIGHBORHOOD COMMERCIAL ZONE	66
Chapter 17.18 REGIONAL COMMERCIAL ZONE	69
Chapter 17.20 SERVICE COMMERCIAL ZONE	72
Chapter 17.22 HIGHWAY COMMERCIAL ZONE	75
Chapter 17.24 NEIGHBORHOOD MIXED USE ZONE	78
Chapter 17.26 CORRIDOR MIXED USE ZONE	82
Chapter 17.28 DOWNTOWN MIXED USE ZONE	85
Chapter 17.30 OFFICE RESIDENTIAL ZONE	88
Chapter 17.32 OFFICE ZONE	94
Chapter 17.34 LIGHT INDUSTRIAL ZONE	97
Chapter 17.36 HEAVY INDUSTRIAL ZONE	101
Chapter 17.38 PUBLIC FACILITIES ZONE	105
Chapter 17.40 AIRPORT PROTECTION ZONE	109
Chapter 17.42 CONSERVATION ZONE	113
Chapter 17.44 AIRPORT OVERLAY ZONE	116
Chapter 17.46 RESERVED	
Chapter 17.48 HISTORIC OVERLAY ZONE	120
Chapter 17.50 DEVELOPMENT STANDARDS	137
Chapter 17.52 LANDSCAPE STANDARDS	149
Chapter 17.54 PARKING AND LOADING STANDARDS	152
Chapter 17.56 SIGNS AND OUTDOOR ADVERTISING STRUCTURES	163

City of Hanford Municipal Code Title 17 - Zoning Ordinance

Chapter 17.60	SPECIFIC LAND USE STANDARDS	187
Chapter 17.62	ADULT ENTERTAINMENT ESTABLISHMENTS	204
Chapter 17.68	WIRELESS COMMUNICATION FACILITIES AND TOWERS	212
Chapter 17.68	WIRELESS COMMUNICATION FACILITIES AND TOWERS	212
Chapter 17.69	COMMERCIAL CANNABIS-RELATED USES AND ACTIVITY	208
Chapter 17.70	PERMITS AND APPLICATIONS	223
Chapter 17.72	SITE PLAN REVIEW PERMITS	231
Chapter 17.74	ADMINISTRATIVE USE PERMITS	231
Chapter 17.76	TEMPORARY USE PERMITS	237
Chapter 17.78	HOME OCCUPATION PERMITS	241
Chapter 17.80	CONDITIONAL USE PERMITS	245
Chapter 17.82	PLANNED UNIT DEVELOPMENT PERMITS	247
Chapter 17.84	VARIANCES AND MINOR DEVIATIONS	250
Chapter 17.86	ZONING ORDINANCE AMENDMENTS	253
Chapter 17.88	GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS	255
Chapter 17.90	NONCONFORMING USES, STRUCTURES, AND LOTS	257
Chapter 17.92	REASONABLE ACCOMMODATION	261
Chapter 17.94	ENFORCEMENT	266
Chapter 17.96	DEFINITION OF LAND USES	276
Chapter 17.98	DEFINITION OF TERMS	298

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 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.~~

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 specific plan, the requirements of the specific plan shall control.
- 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, 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 **height of the 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.**
- 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.

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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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. 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:

City of Hanford Municipal Code Title 17 - Zoning Ordinance

- 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 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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
	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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
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	P	P	P	17.10.020 – only permitted 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	
13	Recreational vehicle park			C	C		

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
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	P	P	P	P	P	17.60.030, subject to State Law regulations;
31	Building ancillary to the main residential use	P	P	P	P	P	

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
32	Cottage food operation	P	P	P	P	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	P	P	P	P	17.78 – Home Occupation Permit Required
36	Keeping of household pets	P	P	P	P	P	§ 6.12.010 limits the number of pets a household may maintain
37	Raising of fruit, vegetables, and horticultural specialties for personal use	P	P	P	P	P	

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
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	must be manufactured dwelling unit on permanent foundation; six month limit
42	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						
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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
52	Day care, nine (9) to fourteen (14) children	P	P	P	P	P	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
57	Park or playground	P	P	P	P	P	
58	Religious institution or facility	C	C	C	C	C	

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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		Specific Land Use Standards (See identified Section)
		R-L-12	R-L-8	R-L-5	R-M	R-H	
59	School, private (kindergarten to 12 th grade)	C	C	C			
60	School, public (kindergarten to 12 th grade)	P	P	P			
61	Storm drainage basin, with without a park	P	P	P	P	P	
62	Land uses listed in the Commercial, Office, and Industrial Zone Use Table (Section 17.08.030) that are not listed in this Residential Zone Use Table						

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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
A2	Caretaker residence or quarters					A	A	A	A		A	A	A			
A3	Cottage food operation					P	P	P	P							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
A6	Electric vehicle charging station	P	P	P	P	P	P	P		P	P	P		P		AB 1236
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		

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
A9	Games of skill or amusement, more than eight (8)	C	C	C	C	C	C	C			C			C		
A10	Home occupation					P	P	P	P				P			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	T	T	T	T	T	T	I	T	T	T				See Chapter 5.64; CUP required for placement exceeding six (6) months
A15	Outdoor advertising structure-Billboard															

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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	A	A	A	A	A	A		A	A	A	A	A	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	

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
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								
B6	Restaurant, limited service with drive-thru pickup window	P	P	P	P	P	P	P								17.60.070

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
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						
C8	Library, museum, or cultural facility						P	P						P		
C9	Pool hall or billiard parlor			C			C									

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
C10	Religious institution or facility			P			C	C		C	C					
C11	School, private (kindergarten to 12 th grade)													C		
C12	School, public (kindergarten to 12 th 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
	Manufacturing and Processing Uses															
D1	Agricultural crop production											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
D2	Agricultural products packing, packaging, preparing or processing										C	P	C		
D3	Agricultural technology			P							P	P			
D3 D4	Animal raising												P		
D5	Beverage Production			P							P	P			
D6	Blacksmiths or metal products manufacturing			C							P	P			
D7	Boat building and repair			P							P	P			
D8	Cannabis cultivation											C			See chapters 5.56 and 17.69
D9	Cannabis distribution										C	C			See chapters 5.56 and 17.69
D10	Cannabis manufacturing											C			See chapters 5.56 and 17.69

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
D11	Cannabis testing										C	C				See chapters 5.56 and 17.69
D12	Chemical products manufacturing											C				
D13	Clothing production			C							P	P				
D14	Concrete and cement production											C				
D15	Electrical equipment or component manufacturing			C							P	P				
D16	Fabric product manufacturing			C							P	P				
D17	Food and beverage manufacturing (large scale)										P	P				
D18	Furniture and cabinet shops			C							P	P				
D19	Glass production			C							P	P				
D20	Hazardous waste facility											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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
D5	Industrial or manufacturing facility, general											P				
D6	Industrial or manufacturing, intensive											C				
D23	Industrial or manufacturing facility, limited										P	P				
D7	Jewelry manufacturing			P							P	P				
D25	Lumber and wood product manufacturing			C							P	P				
D26	Machinery manufacturing, no punch presses or drop hammers over 20 tons			C							P	P				
D27	Machinery manufacturing, with punch presses or drop hammers over 20 tons										C	C				
D28	Cannabis manufacture transportation, distribution or lab testing											C				See Chapters 5.56 and 17.69

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
D29	Meat packing without slaughterhouse											C				
D30	Mining, quarry, or sand and gravel excavation											C	C			
D40 D31	Monument and tombstone works			C							P	P				
D32	Motor vehicle manufacturing										P	P				
D33	Paint manufacturing											C				
D34	Pharmaceutical manufacturing										P	P				
D35	Plastics and rubber products										P	P				
D36	Printing and publishing (large-scale)			P							P	P				
D37	Research and development facility			P	C					P	P	C				
D38	Structural clay and pottery production			C							P	P				
D39	Surgical and medical instrument manufacturing			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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
D40	Telecommunication component manufacturing			C							P	P				
D41	Tire recapping, retreading, and rebuilding										C	P				
	Office and Medical Uses															
E1	Business support service		P	P			P	P	P	P						
E2	Call center		C		C					C						
E3	Communications broadcasting or media studio			P			C	P		P	C					
E4	Laboratory; general, medical or dental			P	C		P	C		P	C					
E5	Hospital, general or psychiatric									P				P		
E6	Office; medical, dental, or optometry	P		P		P	P	P	P	P						
	Under 2,000 sq. ft.	P	P	P		P	P	P	P	P						

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
	2,000 – 6,000 sq. ft	P	C	P		P	P	P	P	P						
	Over 6,000 sq. ft.	P		P		P	P	P	P	P						
E7	Office; professional or commercial	P		P		P	P	P	P	P						
	Under 2,000 sq. ft.	P	P	P		P	P	P	P	P						
	2,000 – 6,000 sq. ft	P	C	P		P	P	P	P	P						
	Over 6,000 sq. ft.	P		P		P	P	P	P	P						
E8	Pharmacy	P	P	P		P	P	P		P						
	Urgent care center or other walk-in clinic	P	C	C		P	P	P		P						
	Public and Quasi-Public Uses															
F1	Cemetery													P		
F2	Community center or facility	P		P		P	P	P								
F3	Community garden			P		P	P	P		P			P	P		

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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)													
F4	Day care, up to eight (8) persons					P	P	P	P						17.60.060
F5	Day care, nine (9) to fourteen (14) persons			C		A	A	A	A						17.60.060
F6	Day care, over fourteen (14) persons			C		C	C	C	C						17.60.060
F7	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	A	
F8	Fairgrounds													P	
F9	Government office; local, state, or federal		C					P		P				P	Federal and State agencies exempt from zoning
F10	Post office						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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
F11	Public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard										C	P	P	P		
F12	Public safety facility or station	P	P	P	P	P	P	P			P	P	P	P		
F13	Social service office, assistance center, or guidance center							P		C						
F14	Storm drainage basin, with or without a park	P	P	P	P	P	P			P	P	P	P	P	P	
F15	Wireless communication facility (WCF)		C	P	P		C	C		C	P	P		P		17.68
	Recreation Uses															
G1	Athletic complex or ball field													P		
G2	Commercial recreation facility, indoor	C	C	P	P	C	P	C			C					
G3	Commercial recreation facility, outdoor				C						C	C	C	C		
G4	Golf course or country club												C	C		

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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
G5	Health or fitness facility, large		C	P	C		P	P		C					
G6	Health or fitness facility, small	P	P	P	P	P	P	P		P	C				
G7	Park or playground						P						P	P	
	Residential Uses														
H1	Assisted living, skilled nursing, or hospice facility					C	C	C	C						
H2	Bed and breakfast inn				C		C	C	C						17.60.040
H3	Boarding or rooming house				C	C	P	P							
H4	Emergency shelter								P					P	
H5	Employee housing for six (6) or fewer employees					P	P	P	P						
H6	Hotel or motel		C	C	P		P	P							
H7	Live/work facility			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
H7	Manufactured home on permanent foundation					P	P	P	P				P		
H8	Mobile home park (two or more mobile homes or manufactured dwellings on a site; 5 acre minimum)														17.60.100
H9	Multi-family dwelling, two (2) units per building site (duplex)					P	P	P	P						Permitted at a ratio of one unit per 1,500 sq. ft. of site area
H10	Multi-family dwelling, three (3) or four (4) units per building site (triplex or fourplex)					P	P	P	C						Permitted at a ratio of one unit per 1,500 sq. ft. of site area
H11	Multi-family dwelling, five (5) or more units per building site					P	P	P							Permitted at a ratio of one unit per 1,500 sq. ft. of site area

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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)													
H12	Recreational vehicle park				C						C				
H13	Residential care facility					P	P	P	P						
H14	Residential dwelling located in same building with office or commercial use			C		P	P	P	P				P		
H15	Single-family dwelling, attached					P	P	P							
H16	Single-family dwelling, detached					P	P	P	P				P		
H17	Single-room occupancy (SRO)						P	P	P						
H18	Supportive housing					P	P	P	P				P		
H19	Transitional housing					P	P	P	P				P		
	Retail Uses														
I1	Adult entertainment establishment		A	A			A								17.62
I2	Auction or sales house			P			P	P							

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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)													
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
I6	Automobile and/or motorcycle parts (retail), no installation	P	P	P	P	P	P	P							
I7	Boat, recreational vehicle (RV), and truck sales			P	C										
I8	Building materials and supply or home improvement store		P	P			P	P			C				
I9	Cannabis storefront dispensary or sales							C							See Chapters 5.56 and 17.69
I10	Convenience store, with or without fuel sales	P	P	P	P	P	P	P			C				
I11	Farm or construction equipment sales or service			P	C										Definition Needed

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
I12	Farmers market		A T	A T				A T						A T		
I13	Feed and seed store			P							P					
I14	Food market	P	P	P	P	P	P	P								
I15	Food produce stand	A	A	A	A	A	A			A	A	A	A	A		Limited to produce grown on the site
I16	Fuel sales, fleet or cardlock			P	P						P	P		P		
I17	Fuel sales, retail	P	P	P	P	P	P	P			C					
I18	Furniture store		P				P	P								
I21	Garden shop		P	P			P	P								
I22	Landscape nursery			P			C				C	C	C			
I20	Liquor store	P	P	P	P	P	P	P								
I21	Manufactured home sales yard			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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
I22	Marijuana dispensary or sales							C								See Chapters 5.56 and 17.69
I22	News, magazine or flower stand, outdoor				C			P								
I23	Optical retailers		P				P	P								
I24	Pawn shop			P				P								
I25	Pet store	P	P	P		P	P	P								
I26	Retail sales store	P	P	P	P	P	P	P								Also see Lines I16, I17, and I18 related to sales of furniture
I27	Retail sales solely via internet, direct mail, or telephone			P		P	P	P	C	C						17.78 Home Occupation Permit Required in conjunction with residential use

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
I28	Secondhand or thrift store			P			P									
I29	Swap meet or flea market			C						C	C		C			
I30	Tobacco or smoke shop		C	P	P		P C	P							Regulations: 17.60 distances from schools and sensitive uses 600 ft.; 600 ft. from other smoke shops	
	Service Uses															
J1	Ambulance service			P			P			C						
J2	Bank or credit union, main branch						P									

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
J3	Bank or credit union, secondary branch	P				P	P	P								
J4	Barber shop, hair salon, nail care, massage therapy establishment, or day spa	P	P	P	P	P	P	P	C	C	C					
J5	Car wash, automatic or full service	C	C	P	P	C	P									
J6	Car wash, self-service			C	C		C									
J7	Carpet cleaning and dyeing			P			C				P					
J8	Construction materials recycling											C		P		
J9	Copy, printing, or mailing service	P	P	P	P	P	P	P		P	P					
J10	Crematorium or columbarium			C			C				C					
J11	Dry cleaning or laundromat	P		P	P	P	P	P								
J12	Equipment rental yard			P							P					
J13	Exterminator or pest control service			P			P	C			P	P				

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
J14	Food catering			P			P	P	C							
J15	Fortunetelling			P							P					
J16	Fuel distributing			P							P	P				
J17	Kennel or animal boarding			P	P		C				C					
J18	Linen, diaper, or uniform supply service			P							P	P				
J19	Medical Spa	P	P	P		P	P	P	P	P						
J19	Motor vehicle repair or service, major			P	P		C				P	P				
J20	Motor vehicle repair or service, minor		C	P	P		P	C			P					
J21	Motor vehicle window tinting			P	P		C				P	P				
J22	Payday lenders or check cashing establishment			C			C	C								
J23	Pet grooming	C	C	P		C	P	C								
J24	Photography studio	P	P	P		P	P	P	C	P						

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
J25	Recycling, small collection facility (CRV only)	P A	P A	P A	P A	P A	P A	P A			P A			P A		
J26	Recycling, large collection facility			C							P	P		P		
J27	Recycling, processing or sorting facility										C	C				
J28	Repair shop, large appliance or equipment			P			P	C								
J29	Repair shop, small appliance or equipment	C		P		C	P	P	C							
J30	Shooting range, indoor			C							C		C	C		
J31	Shooting range, outdoor															
J32	Specialty construction or trade service			P							P	P				
J33	Tailoring or clothing alterations	P		P		P	P	P	P							
J34	Tattooing or body art			C			C	P								
J35	Veterinary clinic or office		C	P			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
J36	Veterinary hospital										C		C		
	Transportation and Storage Uses														
K1	Airport or heliport												P	P	
K2	Bus, transit, or train station						P							P	
K3	Cold storage or ice house			C							P	P	P		
K4	Food locker			P							P		P	P	
K5	Junk yard, wrecking yard, or salvage facility											C			
K6	Mini-warehouse or self-storage facility			P	C		C				C				
K7	Parking facility, off-site		C	C				C		C					
K8	Truck stop or travel center				C										
K9	Trucking or transportation terminal											P			
K10	Vehicle impound yard			C							P	P			

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
K11	Warehouse or distribution center										P	P				
	Other Uses															
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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
L2	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	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

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			Specific Land Use Standards (See identified Section)
		C-N	C-R	C-S	C-H	MX-N	MX-C	MX-D	O-R	O	I-L	I-H	AP	PF	CO	
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 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, multi-family dwellings proposed for any single-family zone district comprised of no more than two residential units 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).

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 average lot width shall be:

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.

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

C. 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.

D. 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.

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

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.

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.

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-setback stagger between adjacent lots.

12. 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.
8. The maximum building height shall be thirty-five (35) feet.
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:

- 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)~~ **three (3) feet from a side or rear lot line, except where there is a landscape easement with a block wall on the side or rear of the property, then the setback shall be taken from the block wall instead of the 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, **measured from the water's edge,** where the lot has a landscape easement with a block wall on the rear or side, the setback shall be taken from the inside of the wall to the water's edge
- 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.

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.~~

17.10.150 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.

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, ~~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.

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.

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 **average** lot width shall be fifty (50) feet for interior lots and sixty (60) feet for corner lots, except as prescribed in Section 17.1**2**.100.

C. The minimum lot depth shall be ninety (90) feet, except as prescribed in Section 17.1**2**.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. 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. 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.

~~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.

17.12.120 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.

17.12.130 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 **where the lot has a landscape easement with a block wall on the rear or side, the setback shall be taken from the inside of the wall to the water's edge.**

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. For multi-family development projects providing 10 units or more, required parking spaces, covered and uncovered, may 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.

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 **where the lot has a landscape easement with a block wall on the rear or side, the setback shall be taken from the inside of the wall to the water's edge.**

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.

17.14.130 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. For multi-family development projects providing 10 units or more, required parking spaces, covered and uncovered, may 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.

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. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

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,. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.

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.

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. **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.

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. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.
- 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.

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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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. The size of this area shall be a minimum two hundred fifty (250) square feet per acre of site area.
- 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,. Such storage shall not be visible above the fence or wall.

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.

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 permanently converted to non-residential use and the rear lot line is adjacent to an alley.
- 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.~~

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.~~

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:

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, **where the lot has a landscape easement with a block wall on the rear or side, the setback shall be taken from the inside of the wall to the water's edge.**

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. The 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 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.

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,. Such storage shall not be visible above the fence or wall.

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.

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.~~
- 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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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 17.36

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.

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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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.

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.~~

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.
- 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 determined 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

RESERVED

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.

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 Community Development Department shall give a ten-day written notice to the appellant of the time and meeting place of the hearing of the appeal.

D. Upon the conclusion of the hearing by the City Council, the City Council may render its decision immediately or may continue its decision until its next regular meeting. The City Council

shall declare its findings and may sustain, modify, reject or overrule the decision of the Community Development Department.

17.48.100 Building permits.

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

17.48.110 Lapse of permits.

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

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

17.48.120 Revocation.

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

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

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

17.48.130 Permits to run with the land.

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

17.48.140 Penalties for improvements without permits.

When any improvements are made or installed to a building, improvement, or structure where a historic resource permit is required 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 Community Development Department.

1. Contributing Buildings. The design criteria shall be used to insure the preservation and enhancement of the historical and architectural characteristics of the historic structures through restoration of those structures. The restoration of a structure to their exact former appearance shall be permitted but not required.

2. Noncontributing Buildings Constructed Prior to 1935. The design criteria shall be used to ensure that modifications or alterations do not increase the noncontributing characteristics of the structure. The application of the design criteria to rehabilitate or renovate a structure to become a contributing building shall be encouraged.

3. Noncontributing Buildings Constructed After 1935. The design criteria shall be used to ensure that modifications or alterations to nonconforming structures do not increase the nonconforming characteristics of the structure or do not add to the intrusive character of the structure.

4. New Construction. The design criteria shall be used for new construction to achieve compatibility and harmony with surrounding structures and the historic district.

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

1. Every reasonable effort shall be made to use the building, structure or site for its originally intended purpose or for a compatible use which requires minimum alteration of the building, structure or site.

2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.

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 Community Development Department.

c. Temporary signs.

i. Each building tenant may use one of the following two types of temporary signs, but not both at the same time:

(A) Basement, ground and second and third story tenants may use a maximum of twenty-five (25) percent of their total window area along a single frontage for temporary signage. Such promotional or sale signs shall only be used for a period of seven consecutive days per month with at least a thirty (30) day period between sign displays. Such signs shall be of professional quality.

(B) Each building tenant shall be permitted to use one portable sign only on Fridays and Saturdays which sign is a maximum of three and one-half feet high and two feet wide. Such signs shall be placed immediately adjacent to the building and not next to the curb or anywhere else in the sidewalk area. Portable signs shall be removed and placed inside the business each afternoon or early evening on Fridays and Saturdays before the business closes.

ii. Commercial banner type signs on buildings or store fronts shall be prohibited except for grand openings and community events. Such signs shall only be used for a period of fourteen (14) days and then be removed. Such signs shall be of professional quality. Except for dealerships of cars, trucks, motorcycles, recreational vehicles and boats, and temporary parking lots sales which require outdoor display, canvas, plastic, cloth, paper or other types of banners or 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 Community Development Department one hundred eighty (180) days' prior written notice that such demolition is planned for such structure. Subject to the provisions of subsection B of this section, no application to the city for a permit to carry out such demolition shall be accepted during said one hundred eighty (180) day notice period. Following the receipt of such notice, the City Council may take such steps as it determines are necessary to preserve the structure concerned. The City Council, among other things, may:

1. Seek local trusts and other financial sources which may be willing to purchase the structure for restoration;
2. Publicize, with the owner's consent, the availability of the structure for purchase for restoration purposes;
3. Make offer concerning the acquisition of development rights or facade easements and the imposition or negotiation of other restrictions for the preservation of the structure;
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~~ Nuisance **conditions caused by** 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 exceeding regulatory limits that, or other forms of air pollution that can cause excessive soiling on any other parcel. No emission shall be permitted that exceeds the requirements of the San Joaquin Valley Air Pollution Control District or the requirements of any air quality plan adopted by the City of Hanford.

17.50.050 Odorous gases and matter.

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

17.50.060 Discharge of materials.

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

17.50.070 Ground vibration.

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

17.50.080 Combustibles and explosives.

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

17.50.090 Trash collection areas.

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

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

17.50.100 Rooftop equipment.

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

17.50.110 Fences and walls.

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

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

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

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

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.

C. 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.

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.

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, **when not located within 150 feet of any residential zone.**

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

1. Mercury vapor lamps shall be a fully shielded fixture with all light directed on-site.
2. Freestanding light fixtures, including freestanding parking lot light fixtures, shall not exceed eighteen (18) feet in height measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture.

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

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

G. Submission of Plans and Evidence. For parking lots and commercial developments, the submission of lighting plans and evidence of compliance with these lighting 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.**

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. Failure to address graffiti for longer than forty-eight (48) hours from the time that graffiti is placed on a surface.

M. Construction equipment, buses, limousines, tow trucks, flatbed trucks, grading equipment, tractors, tractor trailers, trailers, and any 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 placed, stored, or left unattended on a public sidewalk, public street, or any portion of the City right-of-way.

O. Failure to satisfy the following requirement for address numbers: Approved numbers or address 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 may retain a consultant, at developer's sole cost, to review the project financial report and advise the city on the report. Where development and zoning standards exist which would otherwise inhibit the utilization of the density bonus on specific sites, the city may waive or modify the standards consistent with the provisions of this section.

E. Procedures.

1. **Density Bonus/Incentives Review.** Density bonus/incentive review by the Planning Commission shall only be required for projects involving Planning Commission approval. If no legislative entitlement is required, the community development department staff shall have final approval authority on density bonus and incentives. Appeals of a Planning Commission decision must be in accordance with Chapter 17.70 of the Hanford Municipal Code. If a rezone or General Plan amendment is part of the project, the Planning Commission shall make a recommendation on the density bonus and incentives 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~~ **Historic District or Sities** shall also apply.

2. **Regulatory Agreement.** The city and applicant shall execute a regulatory agreement, ensuring compliance of the project with all applicable provisions and affordability restrictions as required under this section, State law, or other applicable affordable housing requirements, as well as equity sharing requirements if applicable. The regulatory agreement shall be recorded as a deed restriction with the Kings County recorder's office running with the land and be binding upon all future owners, developers, and/or successors-in-interest. The regulatory agreement shall be recorded prior to the approval of a final map, or, where a map is not being processed, prior to the issuance of building permits for the parcel or units. Resale of ~~moderate income~~ units shall be governed by Government Code Section 65915(c)(2). The regulatory agreement shall, **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 **forty-five (45)** or **fifty-five (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. **Rented** units shall be affordable at a rent that does not exceed current Housing and Urban Development (HUD) income limits for target-income households for the county adjusted for household size.
5. 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. **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 **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.~~

17.52.050 Landscape area requirements.

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

- A. All building setback areas and open space areas required by this title that are visible from a public right-of-way shall be landscaped.
- B. All areas of a project site not intended for a specific use, including pad sites held for future development shall be landscaped ~~unless it is determined by the Community Development Director that landscaping is not necessary to fulfill the purposes of this chapter.~~
- C. Parking areas shall be landscaped in compliance with Chapter 17.54.

17.52.060 Landscape standards.

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

- A. General design standards. The following features shall be incorporated into the design of the proposed landscape and shown on the required landscape plans.
1. Publicly maintained landscape areas shall be separated from privately maintained landscape areas with, at a minimum, a four (4) inch wide concrete mow strip.
 2. Pedestrian access to sidewalks and structures shall be integrated with the design of landscaped areas.
 3. Landscape adjacent to driveways and parking areas shall be protected from vehicle damage through the provision of a minimum six (6) inch high and six (6) inch wide concrete curb. ~~An alternative type of barrier may be approved by the Community Development Director.~~

4. Concrete mow strips, when used, shall be a minimum of four (4) inches in width.
5. Trees and shrubs shall be planted so that at maturity they do not interfere with utility lines and traffic safety sight areas.
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.

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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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 Site Plan Review based on trip generation.
School, public, private, or charter (kindergarten to 8 th grade)	1 space per employee
School, public, private, or charter (9 th to 12 th grade)	1 space per employee plus 1 space per 10 students (planned enrollment)
School; trade, vocational, art, business, or professional	1 space per employee plus 10 spaces per classroom
College or university	1 space per employee plus 1 space per 5 students (planned enrollment)

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 Site Plan Review based on trip generation
Mobilehome park, recreational vehicle park	1 space per 2 employees of the maximum working shift plus the number of additional spaces required by Site Plan Review 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 Site Plan Review 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 Site Plan Review based on trip generation
Adult entertainment establishment	As per the most similar specified use as determined by Site Plan Review
Uses not specifically described in this table	As per the most similar specified use as determined by Site Plan Review

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.
- 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.

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, the city may require the applicant, as a condition of approval of any project which is subject to the provisions of this section, to satisfy said provision by the use of one of the following alternatives:

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

B. Off-street parking spaces and facilities can be constructed **to the extent permitted by** physical limitations of the property available for such purpose, **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 17.670:

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.~~
- 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 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, a paved driveway perpendicular to the street is permitted if the total width of the existing paving and 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. Site Plan Review Committee may waive this requirement for buildings located within the Historic Overlay District.

17.54.130 Standards for off-street loading facilities.

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

- A. Clearance. Each loading berth shall have a length, width, and overhead clearance sufficient to accommodate fully the maximum expected size of vehicles used in loading or unloading operations.
- B. Turning and maneuvering. Sufficient room for the turning and maneuvering of vehicles shall be provided on the site.
- C. Entrances and exits. Entrances and exits shall be provided at locations approved by the City Engineer.
- D. Paving, drainage, and grading. The loading area, access drives and aisles shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to city standards and the approval of the City Engineer.
- E. Bumper rails and other barriers. Bumper rails or other barriers shall be provided where needed for safety or to protect property as determined by through Site Plan Review.
- 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.

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;~~

The area converted shall be subject to all applicable building code requirements;

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;~~

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;

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;

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. Through the Site Plan Review process, the City shall approve or deny garage conversion requests based upon the requirements in this section 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.

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.

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~~ **shall** be used as criteria for review and approval of sign permits and master sign programs.

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

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

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

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

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

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

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

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)

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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.~~

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.~~

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)

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 injunction 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 **or non-collapsible** frame covered completely with nonrigid material.

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

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

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

"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.**

"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.

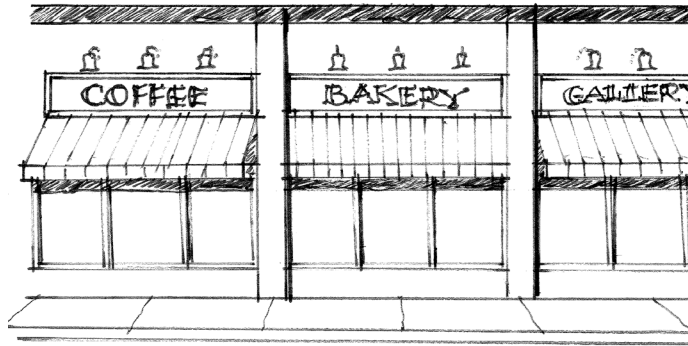
"Sign structure" means any structure which supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a building. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign including the sign copy and all structural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

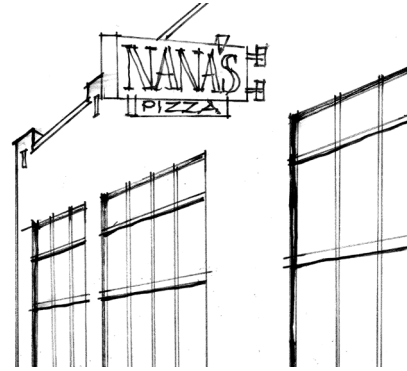
The following illustrations may be used to visualize the various types of signs regulated in this chapter. This section shall not have any regulatory effect.



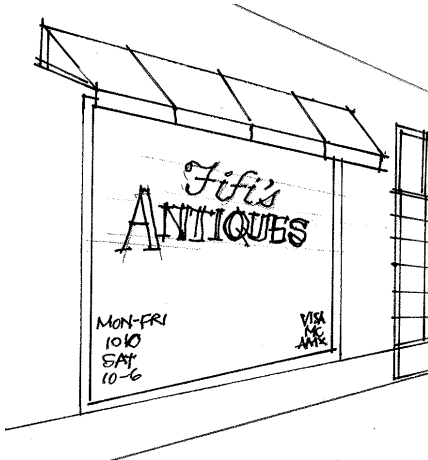
Building Sign



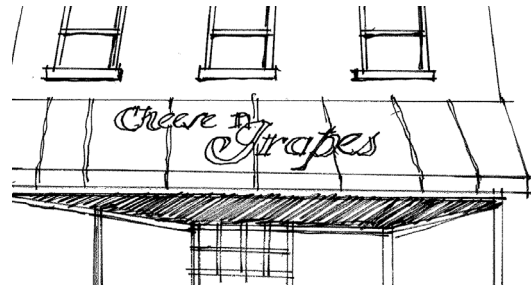
Hanging Sign



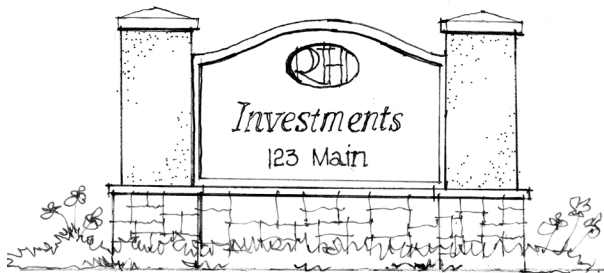
Building Sign Projecting over-Right of-Way



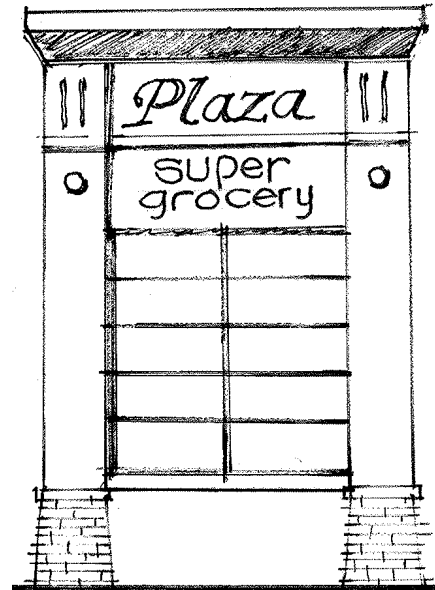
Permanent Sign Affixed to Window



Permanent Sign Affixed to Awning



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 and junior accessory dwelling units

This section is intended to meet the requirements of [Government Code](#) Section 66310 et seq. in providing for the ministerial approval of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”) within the City of Hanford. The standards established by this section shall be interpreted and applied in conformity with the standards set forth in

Government Code Section 66310 et seq., as either may be amended from time to time. Except as specifically set forth herein and in State law, ADUs and JADUs regulated pursuant to this chapter shall meet all of the objective requirements of the zone district in which they are located and all Fire and Building Code requirements. To the extent there is a conflict between the provisions of this section and the then-current provisions of Government Code Section 66310 et seq., the provisions of Government Code Section 66310 et seq. shall apply.

A. Accessory Dwelling Units.

1. Designated Areas.

a. ADUs are permitted on lots that are zoned to allow single-family or multifamily dwelling residential use and include a proposed or existing primary dwelling. An ADU may not be constructed unless a primary residence exists or will be constructed in conjunction with the ADU.

b. ADUs are not permitted in zone districts where residential uses are not allowed. For purposes of this section, mixed-use zones shall be treated as residential zone districts; provided however, ADUs may not be established in non-livable spaces of the non-residential portions of mixed-use developments.

2. Types of ADUs.

a. An ADU on a site with a single-family or multifamily dwelling may be either:

i. Attached to the proposed or existing primary dwelling, with an exterior entrance separate from the primary dwelling;

ii. Located within the proposed or existing primary dwelling as converted space, including attached garages, storage areas, or similar uses, or an accessory structure; or

iii. Detached from the proposed or existing primary dwelling, including detached garages.

b. Notwithstanding other requirements of this section, any of the following shall be ministerially approved and not be subject to other specified zoning standards of this section including lot coverage, setbacks, and unit sizes, but must meet building code and health and safety requirements:

i. One (1) ADU and one (1) JADU per lot with a proposed or existing single-family dwelling if all of the following apply:

(A). The ADU is within the proposed space of the single-family dwelling or existing space of the single-family dwelling or accessory structure and may include an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions of the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodate ingress and egress;

(B). The space has exterior access from the proposed or existing single-family dwelling;

(C). The side and rear setbacks are sufficient for fire and safety; and

(D). The JADU complies with the requirements of Section 17.60.030(B).

ii. One (1) detached, new construction ADU that does not exceed four (4) foot side and rear yard setbacks, a total floor area of not more than eight hundred (800) square feet, and a height as provided in Section 17.60.030(A)(6) for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU.

iii. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. At least one (1) ADU within an existing multifamily dwelling shall be permitted, with the maximum number of ADUs limited to twenty-five percent (25%) of the existing multifamily dwelling units. All interior ADUs must be converted from non-livable space.

iv. Not more than two (2) detached ADUs with a proposed or existing multifamily dwelling, subject to a height as provided in Section 17.60.030(A)(6) and side and rear setbacks of no more than four (4) feet.

3. Number of Units.

A. A minimum of one (1) ADU shall be permitted per lot zoned to allow single-family or multifamily dwelling residential use with a proposed or existing primary dwelling. Additional units shall be permitted per lot only as stated in this section.

4. Size Requirements.

A. The minimum size shall be one hundred fifty (150) square feet, permitted as an efficiency unit.

B. Conversions of existing space have no maximum size limit. Any expansion, other than an expansion over one hundred fifty (150) square feet to accommodate ingress and egress, is limited to the maximum size requirements as stated in Sections 17.60.030(A)(4)(c), (d), and (e).

C. An attached ADU may not exceed either fifty percent (50%) of the living area of the primary dwelling or eight hundred fifty (850) square feet (one thousand (1,000) square feet for an ADU with more than one (1) bedroom), whichever is greater.

D. A detached ADU shall not exceed one thousand, two hundred (1,200) square feet, except as specified under Section 17.60.030(A)(2)(b).

E. A structure containing an ADU shall be no larger than the primary residence on site. This shall not be required for the following:

i. An ADU in compliance with Section 17.60.030(A)(2)(b).

ii. A studio or one (1) bedroom ADU with a maximum size of eight hundred fifty (850) square feet of livable space.

iii. An ADU with more than one (1) bedroom and a maximum size of one thousand (1,000) square feet of livable space.

5. Building setback areas.

A. All ADUs shall comply with the following setback requirements, unless any of the following are met:

i. No setback or distance between structures is required for an ADU which meets the requirements of Section 17.60.030(A)(2)(b).

ii. No setback is required for an ADU constructed in the same location and to the same dimensions as an existing structure that is converted to an ADU or to a portion of an ADU.

iii. Front setback and distance between detached structures requirements cannot preclude an ADU of at least eight hundred (800) square feet with four (4) foot side and rear yard setbacks.

iv. The underlying zone district permits a lesser setback area.

B. The side and rear setback areas shall be four (4) feet from all side and rear lot lines.

C. The front setback area shall comply with the requirements of the underlying zone district.

D. The minimum distance between detached structures shall be ten (10) feet, except as provided by the California Building Standards Code.

6. Height.

A. The maximum structure height shall conform with the following:

i. Sixteen (16) feet for a detached ADU on a lot with a proposed or existing single-family or multifamily dwelling.

ii. Eighteen (18) feet for a detached ADU on a lot with a proposed or existing single-family or multifamily dwelling that is within one-half (1/2) mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in [Public Resources Code](#) Section 21155. An additional two (2) feet in height shall be allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

iii. Eighteen (18) feet for a detached ADU on a lot with a proposed or existing multifamily, multistory dwelling.

iv. Twenty-five (25) feet or the height limitation in the underlying zone district to the primary residence, whichever is lower, for an ADU that is attached to a primary dwelling; provided however, this provision shall not allow an ADU that exceeds two (2) stories.

7. Parking.

A. A maximum of one (1) additional off-street parking space shall be provided per ADU or per bedroom in an ADU, whichever is less. Off-street parking shall be permitted in setback areas in locations determined by the City or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible due to specific site or regional topographical or fire and life safety conditions. The parking requirement shall be waived in any of the following instances:

- i. The ADU is located within one-half (1/2) mile walking distance of public transit.
 - ii. The ADU is located within an architecturally and historically significant historic district.
 - iii. The ADU is within the proposed or existing primary residence or an accessory structure.
 - iv. When on-street parking permits are required but not offered to the occupant of the ADU.
 - v. When there is a car share vehicle located within one (1) block of the ADU.
 - vi. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any of the five preceding criteria identified in this subsection (A)(7).
- B. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, such off-street parking spaces need not be replaced.
8. For the purposes of this section, a structure with two or more attached dwellings on a single lot is considered a multifamily dwelling structure. Multiple detached single-unit dwellings on the same lot are not considered multifamily dwellings.
9. These standards shall not include requirements for minimum lot size in order to establish an ADU.
10. An ADU shall not be denied based on any maximum density requirement or standard.
11. Any limits on lot coverage, floor area ratio, and open space for either attached or detached ADUs shall not preclude an ADU of at least eight hundred (800) square feet with four (4) foot side and rear yard setbacks to be constructed in compliance with all other local development standards.
12. A detached or attached ADU is encouraged to be located to the side or rear of the primary residence with doorway access to the side or rear of the site.
13. ADUs and JADUs should be designed and constructed to blend with the primary residence and be architecturally similar to and consistent with the primary dwelling's design, construction, height, roofing, siding materials, and color.
14. The correction of nonconforming zoning conditions shall not be required as a condition of approval for the creation of an ADU.
15. Except as provided in [Government Code](#) Section 66341, an ADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence. This section shall not be interpreted to permit the separate conveyance of an ADU as a condominium as outlined in [Government Code](#) Section 66342.
16. The rental of an ADU shall be for a term longer than thirty (30) days.
17. ADUs and JADUs, and the availability to construct ADUs and JADUs, will be counted for purposes of identifying adequate sites for housing in the City's housing element of the

adopted General Plan, as provided in [Government Code](#) Section 65583.1(a), and to address the City's share of the regional housing need, as provided in [Government Code](#) Section 65583.1(d).

B. Junior Accessory Dwelling Units.

1. One (1) JADU shall be allowed per residential lot zoned for single-family residences with a proposed or existing single-family residence on site.

2. A JADU must be constructed within the walls of the proposed or existing single-family dwelling. For purposes of this subsection, enclosed uses within the residence, including attached garages, are considered a part of the single-family residence.

3. A JADU shall not exceed five hundred (500) square feet.

4. A JADU shall not require additional parking or the correction of nonconforming zoning conditions as a condition of approval.

5. A JADU shall include separate and permanent provisions for living, sleeping, eating, cooking and shall either have its own separate bathroom or may share a bathroom with the primary residence.

6. A JADU shall have a separate entrance from the proposed or existing single-family residence. If a JADU does not include a separate bathroom, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

7. A JADU shall have an efficiency kitchen, which shall include all of the following:

a. A cooking facility with appliances; and

b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

8. Either the primary residence or the JADU shall be occupied by the owner of the property. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

9. As a condition of approval for the creation of a JADU, the owner of the property at which the JADU is created shall record a deed restriction which includes both of the following:

a. A prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and

b. A restriction on the size and attributes set forth in [Government Code](#) Sections 66333 through 66339, as may be amended.

C. For the purposes of this section, "primary dwelling" and "primary residence" mean a single-family dwelling or a multifamily dwelling residential building and exclude ADUs and JADUs.

D. For the purposes of this section, "public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways,

and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

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, **including through provision of a 36" masonry block wall.**

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.

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, 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/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 closure may arise from, but are not limited to, scheduled festivals and similar events, parades, marches, repairs to the street or sidewalk, 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.

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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

- 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.~~

“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 establishment” shall include 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 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 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) **and mixed use zones** located in the city, measured from property lines:

1. Adult bookstore;
2. Adult motion picture theater;
3. Adult mini-motion picture arcade (peep shows);

4. Adult arcade;
 5. Adult drive-in theater;
 6. Adult cabaret;
 7. Adult motel;
 8. Adult theater;
 9. Adult model studio;
 10. Body painting studio;
 - ~~11. Massage parlor;~~
 11. Adult video games;
 12. Adult video cassette sales and rentals;
 13. Sexual encounter establishment;
 14. 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. 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 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 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.

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.
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 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.
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
Temporary Use Permit	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

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~~ Application 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**.

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.~~ 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 for~~ **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. The Community Development Director will have no discretionary authority in the review and approval of site plans and will possess no subjective judgment over whether or how a proposed use of land will be carried out.**

~~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.

3. Issue the site plan review permit subject to stated revisions.

4. Require that the site plan be resubmitted with required revisions.

17.72.040 Site plan contents.

A. The site plan shall be drawn to a scale which 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;
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.

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~~ **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 17.70.070 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. The Community Development Director's will have no discretionary authority in the administrative approval process and**

will possess no subjective judgment over whether or how a proposed use of land will be carried out under an administrative approval. ~~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.~~

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.**

Development permits that may be needed for a project in addition to 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 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.

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, 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 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, , with gross sales less than \$1,000 annually.

CHARITABLE ORGANIZATION: An organization recognized as a 501(c)(3) organization by the Internal Revenue Service, i.e. eligible to receive tax-deductible contributions.

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).

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.

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 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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

~~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 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.
- 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.~~

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;~~

City of Hanford Municipal Code Title 17 - Zoning Ordinance

- A. The home occupation permit was obtained by misrepresentation or fraud;
- 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;
- C. One or more of the operating standards of the home occupation permit have not been met;
- 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 Other Permits.

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

17.82.050 Site area.

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

17.82.060 Findings.

A. Before a planned unit development (PUD) permit can be approved, all of the following findings shall be made by the reviewing authority identified in Chapter 17.70:

1. The location and design of the PUD is in accordance with the purpose of this title;
2. The PUD is being proposed to achieve one or more of the objectives identified in Section 17.82.030;
3. The location and design of the PUD and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare of the community to properties or improvements in the vicinity;
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 development standard;
2. The minor deviation would allow an adjustment to an objective 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 by following the procedure set forth in this chapter.

17.86.020 Application Procedure.

A. Applications for amendment to this title shall be filed and processed pursuant to the applicable sections of Chapter 17.70.

B. An amendment or change to the boundaries of a zone district on the Zoning Map (zone change) may only be filed by a property owner or authorized agent of land that is affected by the proposed amendment, or by the City Council or Planning Commission.

C. An amendment or change to the text of this title (text amendment) may only be initiated by the City Council or the Planning Commission. Either authority may initiate such an amendment or change upon a written request by the Community Development Director or 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;
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 shall be denied if the reviewing authority finds one or more of the findings in this section cannot be made.

17.88.050 Notice of decision.

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

17.88.060 Appeals.

The decision of the City Council regarding a general plan or specific plan amendment is final.

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.~~

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 **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 **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 **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.

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 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:

City of Hanford Municipal Code Title 17 - Zoning Ordinance

- 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 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.

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 **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 administrative citation in the following manner:~~

G. Hearing Procedure.

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.~~

H. Hearing Decision.

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, 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 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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

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 dwelling unit” (ADU) means an attached or detached residential dwelling unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU also includes the following: (i) an efficiency unit, as defined by Health & Safety Code Section 17958.1, as may be amended; and (ii) a manufactured home, as defined by Health & Safety Code Section 18007, as may be amended.

“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)

“Agricultural technology” means an establishment engaged in conducting research and experimental design, development, and manufacturing of solutions to needs related to agriculture including 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.

“Airport or heliport” means an area of land, water or a structural surface that is used for the landing and takeoff of airplanes and/or helicopters, and any appurtenant areas or buildings that are used for maintenance, servicing, or storing of aircraft, and for services provided to pilots or passengers. (K1)

“Ambulance service” means the provision by a licensed ambulance provider of ground transportation of a sick or injured person in a specially designed and equipped vehicle which includes a trained ambulance attendant who is licensed or certified as required by state law. (J1)

“Animal raising” means the care and breeding of domestic agricultural animals such as chickens and other fowl, horses, goats, or cows. (D3)

Art school. See School, charter, trade, vocational, art, business, or professional. (C13)

“Artisan food and beverage production and sales” means small scale production and/or preparation of food and/or beverages made on site with minimal automated processes involved and may include direct sales to consumers and product tasting. This definition includes uses such as small batch food producers and bakeries, small batch candy shops, cheese makers, and herbal remedies. The definition does not include production of beer, wine, or other alcoholic beverages. (B1)

Assembly, place of. See Club, lodge, or private meeting hall (C3) or Religious institution or facility. (C10)

“Assisted living, skilled nursing, or hospice facility” means a residential complex providing skilled nursing care on an intermittent, extended, or continuous basis to residents, with staff personnel and programs to assist residents with many activities of daily living. Units may or may not have kitchens, and meals can also be provided in a central location. (1) (H1)

“Athletic complex or ball field” means a field, outdoor court, outdoor swimming pool, stadium or group of these used for sporting activities such as baseball, softball, football, basketball, swimming, or other sports, and is not operated as a commercial enterprise. (G1)

“Auction or sales house” means a fully enclosed establishment where items are offered for sale through competitive bidding. It does not include foreclosure, real estate or personal property sales conducted upon the site of the estate, foreclosed or for sale property or property belonging to the personal property owner. It does not include “Swap meet or flea market” or “Auction or sales yard.” (I2)

“Auction or sales yard” means an outdoor or open air facility where items are offered for sale through competitive bidding. Items typically include motor vehicles, heavy equipment, items of an industrial nature, livestock, or items not normally found within retail stores. It does not include “Swap meet or flea market.” It may also have an indoor component similar to an Auction or sales house. (I3)

“Auditorium” means a large room or building used for public gatherings typically open to the general public to watch and/or listen to a performance, speech, or concert. It does not include “Theater, live or movie.” (C1)

“Automated teller machine (ATM)” means a computer terminal that takes the place of a human bank teller and allows the user to access basic bank services, such as making deposits and cash withdrawals, from remote locations. (A1)

“Automobile and pick-up sales, new and used” means an open area that can include buildings, other than a street, used for the display, sale, or rental of new and used automobiles and pick-ups along with incidental repairs and servicing of automobiles or pick-ups. (I4)

“Automobile and pick-up sales, used only” means an open area or building, other than a street, used for the display, sale or rental of used automobiles and pick-ups and where no repair work is done except minor incidental repairs and servicing of automobiles or pick-ups to be displayed, sold or rented on the premises. (I5)

Automobile service station. See Fuel sales, retail, Motor vehicle repair or service, minor, and Motor vehicle repair service, major. (I16) (J18) (J19)

Automobile wrecking yard. See Junk yard, wrecking yard, or salvage facility. (K5)

Ball field. See Athletic complex or ball field. (G1)

“Bank or credit union, main branch” means an institution providing retail banking services that is the main branch in the city. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding a payday lender or check-cashing establishment. For administration, headquarters, or other offices of banks and credit unions without

retail banking services with on-site circulation of money see Office, professional or commercial. (J2)

“Bank or credit union, secondary branch” means an institution providing retail banking services that is a secondary or satellite branch in the city and either does not provide loan officers on site or only provides merchant bank services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding a payday lender or check-cashing establishment. For administration, headquarters, or other offices of banks and credit unions without retail banking services with on-site circulation of money see Office, professional or commercial. (J3)

“Bar, nightclub, or lounge” means an establishment that provides alcoholic beverages for consumption on the site and may or may not provide food service, and that may provide live entertainment and/or dancing. This use typically requires an ABC Type 40, 42, 48, 60, or 61 license. (B2)

“Barbershop, hair salon, nail care, massage therapy, or day spa” means an establishment that provides personal care treatments or massage therapy of hair, skin, nails, and/or face where overnight accommodations are not provided. This use includes the application of permanent facial makeup, but does not include other forms of tattooing or body art application. (J4)

“Bed and breakfast inn” means a transient lodging establishment that is predominantly residential in character, is primarily engaged in providing overnight or otherwise temporary lodging for the general public, and where a breakfast meal is customarily included in the lodging rate. Alcoholic beverages served to overnight guests typically requires an ABC Type 67 license. (2) (H2)

“Beverage production” means a manufacturing facility including a bottling plant, brewery, coffee roasting, soft drink production, and winery. Does not include milk processing, which is included under the definition of “food and beverage manufacturing.” May include tasting and 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 available for tasting and/or consumption on site.

“Blacksmith or 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.

“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 building and repair” means an establishment that builds or repairs boats and associated marine equipment (e.g. jet skis, trailers, etc.).

“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)

“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 that test cannabis goods prior to sale at a retailer.

“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)

“Chemical products manufacturing” means a manufacturing establishment that produces or uses basic chemicals and establishments creating products predominantly by chemical processes. Establishments classified in this 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.

Child care center. See Day care facility. (A4) (F4) (F5) (F6)

“Clothing production” means a manufacturing establishment 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”.

“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)

“Concrete and cement production” means a manufacturing establishment producing bulk concrete, concrete building block, brick, and all types of precast and prefab concrete products. 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".

“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 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)

“Electrical equipment and component manufacturing” means an establishment engaged in manufacturing distribution, power, and specialty transformers; electric motors, generators, and motor generator sets; industrial controls; relays; 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.

“Electric vehicle 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.. (A6)

Elevated pressure tank. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

“Emergency Shelter” means a facility providing housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less where housing is not denied because of an inability to pay. (4) (H4)

“Employee housing” means a residential structure providing accommodations for six (6) or fewer farmworkers pursuant to Health and Safety Code Section 17021.5. (5) (H5)

“Equipment rental yard” means an establishment offering a wide variety of large equipment or tools for rent, much of which is stored outdoors when not being used. (J12)

“Exterminator or pest control service” means an establishment specializing in the elimination of vermin, insects, or other similar pests from a building or grounds, especially by the controlled application of toxic chemicals. (J13)

“Fairgrounds” means an area with indoor and outdoor facilities where fairs, circuses, or exhibitions are held. (F8)

“Farmers market” means a facility or area where several farmers or growers gather on a periodic basis to provide fresh fruits, vegetables, or other locally-grown agricultural products directly to consumers. (I10)

“Feed and seed store” means an establishment that provides feed, seed, and animal and agricultural supplies primarily in bulk quantities. (I11)

“Food 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.

“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 and cabinet shops” means an establishment engaged in the production of 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, which are instead included under “lumber and wood product manufacturing.”

“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)

“Glass production” means a manufacturing establishment 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 for the wholesale market.

“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, 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)~~

“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)

"Junior accessory dwelling unit" (JADU) means a residential dwelling unit that is no larger than five hundred (500) square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities or may share sanitation facilities with the primary residence.

"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)

"Leather production" 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.

"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)

“Lumber and wood product manufacturing” means manufacturing, processing, and sale 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 includes 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.

Lumberyard. See Building materials and supply or home improvement store. (I7)

“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.

“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)

“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)

“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.

Motel. See Hotel or motel. (H6)

“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.

“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)

“Paper product manufacturing” means the manufacturing of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper, etc.

“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)

“Pharmaceutical manufacturing” means establishments engaged in the production of drugs and related therapeutic products for distribution to clinics, hospitals, and medical-related facilities.

“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)

“Plastics and rubber production” means the manufacturing of rubber products including: flooring; heels and soles; mechanical rubber goods; rubber footwear; and rubber sundries from natural, synthetic, or reclaimed rubber. 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.

“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)

“Printing and publishing – large scale” means an establishment 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.

Private meeting hall. See Club, lodge, or private meeting hall (C3)

Professional school. See School, charter, trade, vocational, art, business, or professional. (C12)

Produce stand. See Food produce stand. (I13)

“Public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard” means a facility that provides for maintenance, servicing, or storage of fleet vehicles, equipment, or supplies, or for the dispatching of service vehicles; or distribution of supplies or construction materials required in connection with a business activity, public utility service, transportation service, government service, or similar activity. (F11)

“Public safety facility or station” means a facility that is a base for providing public safety and emergency services, including police, fire protection and emergency services. This use does not include Ambulance service. (F12)

Public service pumping station. See Electric distribution and transmission substation, gas regulator station, communications equipment building, public service pumping station, or elevated pressure tank. (F7)

“Recreational vehicle park” means a lot or area of land where two or more spaces are rented to users of recreational vehicles for overnight parking and use, and that typically provide support services, such as utility hookups and sewer dump facilities. (I3) (H12)

“Recycling, large collection facility” means a facility located in an area of over five hundred (500) square feet that accepts recyclable materials from the public by donation, redemption, or purchase for temporary storage and transport to a processing and sorting facility. (J25)

“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)

“Structural clay and pottery products” means a manufacturing establishment primarily producing brick and structural clay products, including plumbing fixtures, vitreous articles, fine earthenware, porcelain electrical supplies and parts, and pipe.

“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)

“Surgical and medical instrument manufacturing” means an establishment engaged in manufacturing medical, ophthalmic, surgical, and veterinary instruments and apparatus (except electromedical, electrotherapeutic, and irradiation apparatus).

“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)

“Telecommunication component manufacturing” means an establishment 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.

“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)

“Textile production” means a manufacturing establishment 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.

“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; 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.~~

“Dwelling” or “Dwelling Unit” means a room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one (1) kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one (1) household on a long-term basis. A dwelling unit shall have interior access between all habitable spaces, except that a JADU without a separate bathroom shall maintain interior access to the remainder of the primary residence.

“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 or descent of a sloping surface.

“Grade, finished” means the final elevation of the ground surface after development.

“Grade, natural” means the elevation of the ground surface in its natural state before man-made alterations.

“Grading” means the stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

“Gross acreage” means the total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel, and does not include adjacent lands already dedicated for such purposes.

“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.

“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 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.

“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 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.

City of Hanford Municipal Code Title 17 - Zoning Ordinance

“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.

Notice of Exemption 2024-79

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk
County of Kings
Kings County Government Center
Hanford, CA 93230

From: City of Hanford
317 North Douty Street
Hanford, CA 93230

Project Title: Zone Text Amendment No. 0007-24

Project Location – City of Hanford

Project Location – City: Hanford

Project Location – County: Kings County

Description of Nature, Purpose and Beneficiaries of Project: a request to conduct a comprehensive amendment to the Hanford Municipal Code Title 17, as directed by the City Council of the City of Hanford. Changes include various land use changes, definition changes and updates, regulation changes, spelling and grammar edits, as well as legally advised edits.

Name of Public Agency Approving Project: City of Hanford, Planning Division

Name of Person or Agency Carrying Out Project: City of Hanford

Exempt Status: **(check one)**

- ☐ Ministerial (Sec. 21080(b)(1); 152698);
☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption: State type and section number:
☒ Statutory Exemption. State code number: 15061(b)(3) General Rule

Reasons why project is exempt:

The proposed ordinance is exempt under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed project is a text amendment that is not associated with a physical development; therefore, there are no physical impacts that will result from the project.

Lead Agency

Contact Person: Jason Waters Area Code/ Telephone: (559) 585-2590

Signature: _____ Date: November 12, 2024 Title: Deputy City Manager

☒ Signed by Lead Agency Date received for filing at OPR: _____
☐ Signed by Applicant



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024

AGENDA SECTION: GENERAL BUSINESS

SUBJECT:

Due to the passage of Measure H, Adoption of Resolution 24-45-R, Authorizing City Manager to execute agreements with the California Department of Tax and Administration for implementation of a local transactions and use tax, and Adoption of Resolution 24-46-R for examination of sales or transactions and use tax records

RECOMMENDATION:

Recommendation:

It is recommended that the City Council:

1. Adopt Resolution 24-45-R, Authorizing City Manager to execute agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax.
2. Adopt Resolution 24-46-R, Authorizing examination of sales or transactions and use tax records.

Recommended Motion:

I move to:

1. Adopt Resolution 24-45-R, Authorizing City Manager to execute agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax.
2. Adopt Resolution 24-46-R, Authorizing examination of sales or transactions and use tax records.

BACKGROUND:

On November 5, 2024, the voters of the City of Hanford approved Measure H with over 62% 'yes', which established a local Transactions and Use Tax of 1%. The tax will be administered and collected by the CDTFA and remitted to the City of Hanford for purposes of providing additional services and facilities as presented to voters in the 10-year Expenditure Plan.

The CDTFA requires the City to enter into formal agreements for the collection and administration of this tax. Additionally, the CDTFA permits only authorized individuals to examine confidential tax records. The purpose of this staff report is to seek authorization for these agreements and to formally designate individuals permitted to access confidential records.

Discussion

1. **Resolution R-24-45-R for Execution of Agreements with CDTFA**

The agreement with CDTFA outlines the terms under which the agency will administer and collect Measure H Transactions and Use Tax on behalf of the City. This is necessary for ensuring the proper collection and distribution of Measure H funds and aligns with California state law. The City Manager will be designated to execute the agreements.

2. **Resolution R-24-46-R for Examination of Sales or Transactions and Use Tax Records**

Access to confidential taxpayer information is essential for the City's Finance Department to verify the accurate collection and allocation of Measure H funds. The resolution designates specific individuals within the City authorized to examine confidential taxpayer records under the CDTFA's supervision, in compliance with Section 7056 of the Revenue and Taxation Code. In addition, the City's consultant who reviews records for proper assignment of tax would have access as well.

Designated individuals for examination of records:

- City Manager
- Finance Director
- Finance Manager
- City sales tax audit consultant (MuniServices LLC)

Additionally, the City Manager or Finance Director will be authorized to designate other key staff to access records should other titles become needed to access in the future. These steps are necessary to ensure full transparency, accountability, and legal compliance in managing Measure H tax revenues. Adopting these resolutions (24-45-R and 24-46-R) will allow the City to comply with state requirements for the administration of Measure H and provide the City with access to essential records for monitoring and auditing purposes.

FISCAL IMPACT:

Preparatory costs to administer Measure H will not exceed \$175,000 (allowed by law) and will be based on actual costs the CDTFA incurs. The CDTFA does charge an administrative fee for its services, deducted from the collected Measure H revenue. The ongoing administrative fee will be anticipated in the annual budget and will vary based on actual tax revenue and as determined by State law.

ATTACHMENTS:

1. City_Resolution 24-45-R to Execute Agreements_rev2017_COH_12.3.24 (clean)
2. City_Preparatory Agreement_rev2024 Attachment A 12.3.24 (clean)
3. City_Administration Agreement_rev2024 Attachment B 12.3.24 (clean)
4. City_updated resolution 24-46-R for examination of confidential records_COH_12.3.24 (clean)

RESOLUTION NUMBER 24-45-R

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HANFORD
AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENTS WITH THE
CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR
IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX.**

WHEREAS, on December 3, 2024, the City Council approved Ordinance No. 2024-09 amending the City Municipal Code and providing for a local transactions and use tax; and

WHEREAS, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

WHEREAS, the Department will be responsible to administer and collect the transactions and use tax for the City; and

WHEREAS, the Department requires that the City enter into a “Preparatory Agreement” and an “Administration Agreement” prior to implementation of said taxes, and

Whereas, the Department requires that the City Council authorize the agreements;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hanford that the “Preparatory Agreement” attached as Exhibit A and the “Administrative Agreement” attached as Exhibit B are hereby approved and the City Manager is hereby authorized to execute each agreement.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSENT:

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, certify the foregoing Resolution was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the _____ day of _____, 20__.

Dated:

NATALIE CORRAL, CITY CLERK

**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE
CITY'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the City of Hanford, hereinafter called *City*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the City and whose ordinance has been adopted by the City.

2. City agrees to pay to the Department at the times and in the amounts hereinafter specified all of the Department's costs for preparatory work necessary to administer the City's transactions and use tax ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the City.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. City shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by City for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail or through email at jservices@cdtfa.ca.gov. If and when communications and notices may include confidential information, communications and notices must be sent through encrypted email at jservices@cdtfa.ca.gov or by mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879 MIC: 27
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to City shall be addressed to:

City of Hanford
Attn: Finance Director
315 N. Douty St.
Hanford, CA 93230

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer City's transactions and use tax ordinance has been completed and the Department has received all payments due from City under the terms of this agreement.

CITY OF HANFORD

By _____
(Signature)

(Mario Cifuentes II)

(City Manager)

Date: _____

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
Administrator
Local Revenue Branch

Date: _____

**AGREEMENT FOR STATE ADMINISTRATION
OF CITY TRANSACTIONS AND USE TAXES**

The City Council of the City of Hanford has adopted, and the voters of the City of Hanford (hereafter called “City” or “District”) have approved by the required majority vote, the City of Hanford Transactions and Use Tax Ordinance (hereafter called “Ordinance”), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California State Department of Tax and Fee Administration, (hereinafter called the “Department”) and the City do agree as follows:

**ARTICLE I
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section 7285.9, et seq., and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "City Ordinance" shall mean the City's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No. 2024-09, as amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II
ADMINISTRATION AND COLLECTION
OF CITY TAXES**

A. Administration. The Department and City agree that the Department shall perform exclusively all functions incident to the administration and operation of the City Ordinance.

B. Other Applicable Laws. City agrees that all provisions of law applicable to the administration and operation of the Department Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the City Ordinance. City agrees that money collected pursuant to the City Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to City the amount to which City is entitled.

C. Transmittal of money.

1. For the period during which the tax is in effect, and except as otherwise provided herein, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax whether by City's self-imposed limits or by final judgment of any court of the State of California holding that City's ordinance is invalid or void, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the City designated and authorized by the City. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

D. Rules. The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the City Ordinance and the distribution of the district taxes collected thereunder.

E. Preference. Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and district transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and City as their interests appear.

F. Security. The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of City for district taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it, and City shall not participate in any security now held by the Department.

G. Records of the Department.

When requested by resolution of the legislative body of the City under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the City to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the City, pertaining to the ascertainment of transactions and use taxes collected for the City. Information obtained by the City from examination of the Department's records shall be used by the City only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

H. Annexation. City agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended City boundary. In the event the City shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the City showing the area annexed and the location address of the property nearest to the extended City boundary on each side of every street or road crossing the boundary.

ARTICLE III

ALLOCATION OF TAX

A. Allocation. In the administration of the Department's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:

1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion

of the Department, to all districts with which the Department has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer's self-declared district taxes for the period for which the determination, billing, refund or credit applies.

B. Vehicles, Vessels, and Aircraft. For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

ARTICLE IV

COMPENSATION

The City agrees to pay to the Department as the State's cost of administering the City Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the City.

ARTICLE V

MISCELLANEOUS PROVISIONS

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below, or to such other addresses as the parties may from time to time designate or through email at jservices@cdtfa.ca.gov. If and when communications and notices may include confidential information, communications and notices must be sent through encrypted email at jservices@cdtfa.ca.gov or by mail.

Communications and notices to be sent to the Department shall be addressed to:

California State Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to the City shall be addressed to:

City of Hanford, Finance Director
315 N. Douty St.
Hanford, CA 93230

Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.

B. Term. The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on April 1, 2025. This Agreement shall continue until December 31 next following the expiration date of the City Ordinance, and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the City Ordinance and has received and disbursed all payments due under that Ordinance.

C. Notice of Repeal of Ordinance. City shall give the Department written notice of the repeal of the City Ordinance not less than 110 days prior to the operative date of the repeal.

ARTICLE VI
ADMINISTRATION OF TAXES IF THE
ORDINANCE IS CHALLENGED AS BEING INVALID

A. Impoundment of funds.

1. When a legal action is begun challenging the validity of the imposition of the tax, the City shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the City shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

B. Costs of administration. Should a final judgment be entered in any court of the State of California, holding that City's Ordinance is invalid or void, and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by City to Department to prepare to administer the City Ordinance.

2. City will pay to Department and allow Department to retain Department's cost of administering the City Ordinance in the amounts set forth in Article IV of this Agreement.

3. City will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. City will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing

the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by City.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding City's Ordinance invalid or void becomes final. Thereafter Department shall bill City on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. City shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

CITY OF HANFORD

By _____
(Signature)

(Mario Cifuentes II)

(City Manager)

(Date)

CALIFORNIA STATE DEPARTMENT OF
TAX AND FEE ADMINISTRATION

By _____
Administrator
Local Revenue Branch

Date: _____

RESOLUTION NUMBER 24-46-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD AUTHORIZING
EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS**

WHEREAS, pursuant to Ordinance Number 768, the City of Hanford (City) entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of sales and use taxes; and

WHEREAS, pursuant to Ordinance Number 2024-09, Revenue and Taxation Code section 7270, the City entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of transactions and use taxes; and

WHEREAS, the City Council of the City of Hanford deems it desirable and necessary for authorized officers, employees and representatives of the City to examine confidential sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected by the Department for the City pursuant to ~~that contract~~; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HANFORD HEREBY
RESOLVES AS FOLLOWS:**

Section 1. That the City Manager, Finance Director, Finance Manager, or other officer or employee of the City designated in writing by the City Manager or Finance Director to the California Department of Tax and Fee Administration is hereby appointed to represent the City with authority to examine sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected for the City by the Department pursuant to the contract between the City and the Department.

Section 2.

The information obtained by examination of Department records shall be used only for purposes related to the collection of City sales or transactions and use taxes by the Department pursuant to that contract, and for purposes related to the following governmental functions of the City:

- (a) Budget
- (b) Economic Development
- (c) Business Licensing

Commented [TM1]: Which of the contracts? The older contract executed per HMC § 3-5.305 or the contract executed per Ord. No. 24-09?

The information obtained by examination of Department records shall be used only for those governmental functions of the City listed above.

Section 3. That MuniServices, LLC are hereby designated to examine the sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected for the City by the Department. The person or entity designated by this section meets all of the following conditions, which are also included in the contract between the City and MuniServices, LLC:

- a) has an existing contract with the City to examine those sales or transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from, those sales or transactions and use tax records only to the officer or employee authorized under Section 1 of this resolution to examine the information.
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in, or derived from those sales or transactions and use tax records, after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of Department records shall be used only for purposes related to the collection of City sales or transactions and use taxes by the Department pursuant to the contract between the City and the Department and for those purposes relating to the governmental functions of the City listed in section 2 of this resolution.

Section 4. [Blank]

Section 5. That this resolution supercedes all prior resolutions of the City Council of the City of Hanford adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056.

PASSED AND ADOPTED by the _____,
State of California, on _____, by the following vote:

AYES:

NOES:

ABSENT:

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, certify the foregoing Resolution was duly passed and adopted at a regular meeting of the City Council of the City of Hanford held on the _____ day of _____, 20__.

Dated:

NATALIE CORRAL, CITY CLERK



AGENDA STAFF REPORT

MEETING DATE: 12/3/2024	AGENDA SECTION: GENERAL BUSINESS
--------------------------------	---

SUBJECT:

Consideration of a letter submitted by Council Member Lou Martinez in response to complaints filed by City employees.

RECOMMENDATION:

Recommendation: It is recommended that the City Council consider the letter submitted by Council Member Lou Martinez regarding complaints filed by City employees.

Recommended Motion: I move that the Council accept the apology offered by Council Member Martinez.

BACKGROUND:

Complaints were filed by City employees regarding alleged conduct of Council Member Lou Martinez in two separate matters.

One set of complaints relates to allegations of City employees that Council Member Martinez made inappropriate and unprofessional statements that were critical of a 2023 summer program occurring at the Longfield Center and the program's participants.

A second incident involved Council Member Martinez's conduct toward employees Jason Waters and Brian Johnson on February 27, 2024. It was alleged that Council Member Martinez publicly raised his voice and acted in an inappropriate and unprofessional manner toward Mr. Waters and Mr. Johnson when Council Member Martinez was informed that he could not attend a meeting involving downtown business owners regarding a proposed downtown pedestrian and vehicular safety project.

Through the attached letter, Council Member Martinez apologizes to the City Council and the affected City employees, and he pledges to avoid inappropriate and unprofessional conduct in the future.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. Letter from Lou Martinez

Lou Martinez
Hanford, CA 93230

Hanford City Council
219 N. Douty St.
Hanford, CA 93230

Re: Employee Complaints

Dear Mayor Paden, Vice Mayor Kairis, and Council Member Devine:

I am aware that complaints were made regarding my conduct in two separate matters, one involving employees and participants of a program at the Longfield Center and a second incident involving my conduct toward employees Jason Waters and Brian Johnson on February 27, 2024.

Regarding the Longfield Center matter, I understand that City employees viewed my statements and conduct that occurred during the Summer of 2023 as critical of a recreation program that took place at that facility and as disparaging of program participants.

I am very passionate about the Longfield Center and its importance to the entire community. My passion caused me to make statements and engage in conduct in the presence of Longfield Center employees and program participants that was unprofessional and inappropriate. As I look back at what happened, I realize that I should have acted differently.

With respect to the February 27, 2024, incident at City Hall involving Jason Waters and Brian Johnson, I became upset because City staff was meeting with business owners regarding a downtown pedestrian and traffic safety project that would transform our historic downtown, and I was informed that I could not attend the meeting even though my district includes the downtown area. I raised my voice when publicly expressing my displeasure with Mr. Waters and Mr. Johnson, and I made unprofessional statements and threatened legal action against them.

I should not have raised my voice when addressing Mr. Waters and Mr. Johnson, and I should not have directed my displeasure towards them. While I disagree with being excluded from the meeting, it was wrong of me to direct my frustration towards them.

I acted inappropriately and unprofessionally in both matters, and I will not engage in such conduct in the future. I understand that the City Council's Handbook of Rules and Procedures requires Council Members to "accord the utmost courtesy . . . to city employees" and that "no member of the City Council shall publicly criticize or censure any staff member of the City, [and] shall instead relay any criticism of a staff member privately through the City Manager." If I have concerns with City programs or City employees in the future, I will direct them to the City Manager.

I apologize to the employees and program participants at the Longfield Center for my words and conduct that took place during the Summer of 2023, and I apologize to Mr. Waters and Mr. Johnson for my conduct toward them on February 27, 2024. I also apologize to my fellow

November 22, 2024

Page 2

Council Members and to the residents of Hanford. Council Members are to lead by example, and I will conduct myself appropriately and professionally in the future.

I look forward to my continued work with my fellow Council Members and with City staff in making Hanford the best city in California.

Sincerely,



LOU MARTINEZ

Council Future Agenda Items				
Originated Date	Item	Originator	Staff Lead	Date Estimate
8/6/2024	Presentation to the City Council regarding the next steps in the process for the Hidden Valley Park expansion and more detail related to the chosen Concept #5	Council Direction	Various Staff	12/17/2024
10/1/2024	Presentation to the City Council of a comprehensive needs analysis of the City's Historic Buildings and options for future uses and possible funding mechanisms	Council Direction	Various Staff	1/21/2025
11/7/2024	Discussion of future changes to Council Compensation as allowed under SB329 and funding for Council attendance at civic functions.	City Manager	Mario Cifuentez	1/21/2025
11/19/2024	Update to the City Council regarding initial planning of the Civic Auditorium Anniversary ceremony.	Council Direction	Brad Albert	1/7/2025
11/19/2024	Council discussion of the criteria for the formation of the Measure H Oversight Board.	Council Direction	Chris Tavarez	12/17/2024