



AGENDA
PLANNING COMMISSION
155 W DURIAN AVE., COALINGA, CA 93210
TUESDAY FEBRUARY 25, 2020

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners:

- Chairman Sailer*
- Vice Chairman Jacobs*
- Commissioner Helmar*
- Commissioner Garza*
- Commissioner Pruitt*

Staff:

- Sean Brewer, Assistant City Manager*
- Marissa Trejo, City Manager*

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

PUBLIC HEARINGS

1. Planning Commission Consideration and Recommendation to the City Council

Approval of a City Initiated Zoning Text Amendment (No. ZTA 20-01) Amending the Planning and Zoning Code as it Relates to Conditional Use Permit Regulations for Commercial Cannabis Facilities

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

1. Coalinga Planning and Zoning Code 5-Year Review Update (on-going)

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Planning Commission Consideration and Recommendation to the City Council Approval of a City Initiated Zoning Text Amendment (No. ZTA 20-01) Amending the Planning and Zoning Code as it Relates to Conditional Use Permit Regulations for Commercial Cannabis Facilities

Meeting Date February 25, 2020

Project Location: City of Coalinga

Applicant: City of Coalinga

Owner:

Prepared By: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Staff is recommending that the Planning Commission adopt Resolution No. 020P-003 recommending to the City Council approval of a City initiated zoning text amendment (No. ZTA 20-01) amending the Conditional Use Permit Regulations for Commercial Cannabis Regulations.

II. BACKGROUND:

The Zoning Map and the Zoning Ordinance text may be substantially amended in two (2) ways, in accord with the procedure prescribed in this article: (1) Reclassification of the zoning applicable to a specific property, designating a change from one district to another district, commonly called "rezoning", (2) Changes in the permitted uses or regulations on property within particular zones or citywide, commonly called "text amendments".

Article 1 of Chapter 5 of the Coalinga planning and zoning code establishes local regulations applicable to commercial cannabis operations as may be permitted under the California Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94), approved by the Governor on June 27, 2017 or subsequently enacted State law pertaining to the same.

Section 9-5.128(f) of Planning and Zoning Code related to commercial cannabis operations states that prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the regulatory permit and not the land.

Over the course of the last 3 years staff has processed several conditional use permit applications where projects were approved and subsequently changed ownership, applicants backed out and moved elsewhere, or tenants decide to no longer pursue the project. Therefore, when this occurs the new tenant and/or owner is

required to submit a new CUP application even when the use is the same.

On February 6, 2020, the City Council directed staff to proceed with a City initiated zoning text amendment to amend the planning and zoning code to remove the regulation requiring the use permits to run with the applicant rather than the land.

III. PROPOSAL AND ANALYSIS:

Typically, when conditional use permits are approved by the City of Coalinga the land use right runs with the land allowing for future owners and/or tenants to occupy the property so long as it is in compliance with the original use permit approvals. This is not the case with cannabis operations where the use permit does not run with the land requiring a subsequent use permit application for each cannabis operator even when the same use is proposed.

Staff has found that restricting the CUP approval to run with the applicant/regulatory permit and not the land, causes delays in operational timeframes, slows the process of permitting cannabis operations and reduces the ability of the City to collect license fees and taxes sooner because of the longer land use entitlement processing time and vacancy between change in tenancy.

General Plan/Zoning Consistency: The proposed zoning text amendment is consistent with the general plan policies and implementation measures including zoning consistency for commercial cannabis operations. The intent of the Coalinga Commercial Cannabis regulations were to implement state law as it relates to regulating commercial cannabis and cannabis products. The change in the security regulations would not be contrary to state law.

Staff feels that this action will not be detrimental to the community as it relates to cannabis permitting since the City will still have the regulatory permit that will govern the cannabis license from an operator standpoint and still have revocation authority in addition to the CUP. The change will allow for an easier transition from one operator to another. The submission of a new regulatory permit will still be required for each new operator which is reviewed and approved by the Police Chief and placed on Council consent agenda for concurrence.

Public Notification: On February 13, 2020 public hearing notices were posted at multiple public locations and emailed to local paper.

Environmental Determination: This text amendment has been reviewed in accordance with CEQA and staff has determined that this ordinance change would not have a detrimental effect on the health, safety and welfare of the community and fall under Section 15061(b)(3) - General Rule Exemption.

IV. FISCAL IMPACT:

There shall be no anticipated fiscal impact to the City.

V. REASONS FOR RECOMMENDATION:

The following standard findings must be made for each Zoning Ordinance amendment:

1. The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and

actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.

3. If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
4. The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

ATTACHMENTS:

Description

- Draft Ordinance 835 Text Amendment - CUP Regulations
- Resolution 020P-003 - Use Permit Changes

ORDINANCE NO. 835

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA, CALIFORNIA AMENDING COALINGA MUNICIPAL CODE SECTION 9-5-128(f) RELATED TO COMMERCIAL CANNABIS CONDITIONAL USE PERMIT REQUIREMENTS.

WHEREAS, Article 1 of Chapter 5 of the Coalinga Planning and Zoning code establishes local regulations applicable to commercial cannabis operations as may be permitted under the California Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94), approved by the Governor on June 27, 2017 or subsequently enacted State law pertaining to the same; and

WHEREAS, Section 9-5.128(f) states that prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the regulatory permit and not the land; and

WHEREAS, the City desires to amend section 9-5.128(f) of the planning and zoning code to amend the language of the code to allow the conditional use permit to run with the land in order to expedite project turnover and ownership changes; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COALINGA DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2. The City Council hereby amends Section 9-5.128(f) to Article 1 of Chapter 5 in Title 9 of the Coalinga Municipal Code to read as follows:

(f) Conditional use permit. Prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the ~~regulatory permit and not the land.~~

SECTION 3. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 4. Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Coalinga ordinance.

SECTION 5. Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2019.

Ron Lander, Mayor

ATTEST:

Shannon Jensen, City Clerk

APPROVED AS TO FORM:

Mario U. Zamora, City Attorney

DRAFT

RESOLUTION 020P-003

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT TO AMEND THE PLANNING AND ZONING CODE AMENDING THE CONDITIONAL USE PERMIT REQUIREMENTS FOR COMMERCIAL CANNABIS FACILITIES

WHEREAS, Article 1 of Chapter 5 of the Coalinga Planning and Zoning code establishes local regulations applicable to commercial cannabis operations as may be permitted under the California Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94), approved by the Governor on June 27, 2017 or subsequently enacted State law pertaining to the same; and

WHEREAS, Section 9-5.128(f) states that prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the regulatory permit and not the land; and

WHEREAS, the City desires to amend section 9-5.128(f) of the planning and zoning code to amend the conditional use permit regulations where past and future approvals will run with the land rather than the applicant; and

WHEREAS, the State of California does not require that cannabis use permits run with the applicant within its regulations and statutes so long as there is a discretionary permitting process to permit cannabis activities; and

WHEREAS, a Notice of Public Hearing was posted on the City's website, provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on February 13, 2020, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on February 25, 2020 to take testimony with regard to the proposed Zoning Text Amendment; and

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council adoption of a draft ordinance (Exhibit "A") to amend the planning and zoning code related to the conditional permit regulations for cannabis facilities.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 25th day of February 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

Exhibit "A" Draft Ordinance



Staff Report- Chairman and Planning Commission

Subject: Coalinga Planning and Zoning Code 5-Year Review Update (on-going)
Meeting Date February 25, 2020
Project Location:
Applicant:
Owner:
Prepared By: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Planning Commission review, discussion and direction to staff regarding the five (5) year update to the Coalinga Planning and Zoning Code.

II. BACKGROUND:

The City of Coalinga prepared a comprehensive zoning code update in 2014. It has been five (5) years since the adoption Ordinance No. 776 which updated Title 9 of the Coalinga Municipal Code related to Planning and Zoning. Staff feels that it is appropriate to review the planning and zoning code periodically to ensure that it is accomplishing what the City intended related to development through its zoning regulations.

This is a continuing discussion by the Planning Commission to review the Planning and Zoning Code. Sections under discussion for the meeting will be identified under the proposal and analysis section of this report.

III. PROPOSAL AND ANALYSIS:

The following sections are expected to be reviewed and discussed by the Planning Commission at this meeting.

Chapter 1, Article 2 - Definitions

Chapter 4: Additional Use and Development Regulations

Article 3: Off-Street Parking & Loading

Article 4: Performance Standards

IV. FISCAL IMPACT:

None determined at this time.

V. REASONS FOR RECOMMENDATION:

ATTACHMENTS:

Description

- Chapter 4 Article 3 (Parking) & Article 4 (Performance)

Article 3. - Off Street Parking and Loading

Sec. 9-4.301. - Purpose.

- (a) The specific purposes of the on-site parking and loading regulations are to:
 - (1) Ensure that parking uses are provided for new land uses and major alterations to existing uses to meet the parking needs created by such uses;
 - (2) Establish standards and regulations for the developer, owner, or operator of any specific use occurring outdoors or within an existing, newly constructed, or relocated building to provide well-designed, on-site parking areas; and
 - (3) Ensure that on-site parking and loading areas are designed and located to protect the public safety; minimize congestion and conflict points on travel aisles and public streets; and where appropriate, buffer surrounding land uses from their impact.

([Ord. No. 776](#) , § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.302. - Applicability.

- (a) No parking area, parking space, or loading space which is provided for the purpose of complying with the provisions of this chapter shall hereafter be relinquished or reduced in any manner below the requirements of this chapter unless equivalent facilities are provided elsewhere, the location of which is approved by the Commission. If such parking area is established by a conditional use permit, equivalent facilities shall be subject to approval by the Planning Commission.
- (b) Parking required. Each building and land use, including a change or expansion of a building or land use, shall provide parking areas in compliance with this section. No building shall be occupied and no land use shall be commenced until the improvements required by this section are approved by the Community Development Director and completed prior to commencement of use.
- (c) Number of parking spaces.
 - (1) Each site shall be provided the minimum number of parking spaces required by Table 4.4, except where the parking requirement is reduced or otherwise changed in compliance with subsection (3) of this section.
 - (2) On-street parking along the frontage lines of the site shall be counted toward fulfilling the parking requirements.
 - (3) Where Table 4.4 establishes a parking requirement based upon square feet (for example: "1 space/300 sq. ft."), the term "square feet" means the gross square footage of floor area.
 - (4) Where Table 4.4 establishes a parking requirement based upon the number of units (for example: "1 space per unit"), the term "unit" means per dwelling unit.
 - (5) If the calculation of required parking or loading spaces results in the requirement of a fractional space, such fraction, if one-half ($\frac{1}{2}$) or greater, shall be considered one additional space; if the fraction is less than one-half ($\frac{1}{2}$), it shall result in no additional spaces.

TABLE 4.4: REQUIRED ON-SITE PARKING SPACES

| Land Use Classification | Required Parking Spaces |
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| <i>Residential Use Classifications</i> | |

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| Single-family, Detached Single-family, Attached | 2 for each dwelling unit. For new construction, all spaces shall be covered. For existing development, at least one space per dwelling shall be covered and all existing covered parking spaces shall be maintained. |
| Second Unit | 1 per studio or one-bedroom unit, 2 per two-bedroom unit. 0.5 spaces for every additional bedroom. |
| Multi-family Residential | 1 per studio unit. 1.5 per one-bedroom unit. 2 per 2-bedroom unit. 0.5 spaces for every additional bedroom. One space for each unit shall be designated for the unit and covered. One additional guest parking space shall be provided for every 3 units. Reduced parking requirements for housing developments with extremely low, very low, low and moderate income units may be granted if the site is within a quarter-mile of transit. |
| Small Family Day Care Home | Same requirements as single-family in RR, RE, RSF, and RT. Same requirements as multi-family in RMD, RHD and MX. |
| Large Family Day Care Home | 1 per non-resident employee. 1 passenger loading space, on or off-site. |
| Manufactured Home Park | 1 space per unit. 1 guest space for every three units. |
| Group Home, Residential Care Facility | 1 space per 3 beds, plus 1 guest parking space per 3 beds. Reduced parking requirements for such facilities may be granted if it can be demonstrated that actual parking needs are lower than the parking spaces required by this chapter, and that all parking spaces can be accommodated on-site. |
| Senior Citizen Housing (60 years or older) | 1 space per moderate- and above moderate-rate dwelling units. 1 space per .5 units available to extremely low-, very low-, and low-income dwelling units. |
| Public and Semi-Public Use Classifications | |
| Cemetery | 1 per 20,000 sq. ft. of land area, plus 1 per every 5 seats in chapels or assembly areas, plus 1 per full-time employee. |
| Clubs and Lodges | 1 for each 5 permanent seats in main assembly area, or 1 for every 100 sq. ft. of assembly area where temporary or moveable seats are provided. |
| Colleges and Trade Schools, | To be determined by the Community Development Director based on |

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| Public or Private | demand study. |
| Community Center | To be determined by the Community Development Director based on usage. |
| Cultural Institutions | For theaters and auditoriums: 1 for each 5 permanent seats in main assembly area, or 1 for every 100 sq. ft. of assembly area where temporary or moveable seats are provided. Galleries and Museums: 1 for every 500 sq. ft. of floor area. Other establishments: determined by the Community Development Director. |
| Day Care Center | 1 per first 5 children, plus 1 for each additional 10 children. |
| Elderly and Long Term Care | 1 per four beds |
| Government Offices | 1 per 300 sq. ft. of floor area. |
| Hospitals and Clinics | 1 per bed; plus 1 per 250 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use. |
| Instructional Services | 1 per 300 sq. ft. of floor area. |
| Park and Recreation Facilities, Public | To be determined by the Community Development Director. |
| Prison | 1 per 2 employees, plus 1 per 25 residents. |
| Public Safety Facilities | To be determined by the Community Development Director. |
| Religious Facilities | 1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided. |
| Residential Care (greater than 6 residents) | 2 spaces for each facility plus 1 space per four adult residents and 1 space per six juvenile residents |
| Schools, Public or Private | Elementary and Middle Schools: 1 per classroom, plus 1 per 250 sq. ft. of office area. High Schools: .35 per student |

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| Emergency Shelters | 1 per 300 sq. ft. of floor area. |
| Commercial Use Classifications | |
| Adult-Oriented Business | As determined by the Community Development Director based upon requirements for the most similar comparable use |
| Automobile/Vehicle Sales and Services | |
| Automobile/Vehicle Rentals | 1 per 300 sq. ft. of office area in addition to spaces for all vehicles for rent. |
| Automobile/Vehicle Sales and Leasing | 1 per 250 sq. ft. of office area, plus 1 space per 1000 sq. ft. of indoor or outdoor sales display area. Any accessory auto repair: 2 spaces per service bay. Minimum 5 spaces per dealership. |
| Automobile/Vehicle Repair, Major or Minor | 2 per service bay. |
| Automobile/Vehicle Washing | <i>Mechanical:</i> Two spaces plus sufficient waiting line(s) <i>Self-service:</i> Two spaces plus washing area(s) |
| Large Vehicle and Equipment Sales, Service and Rental | 1 per 300 sq. ft. of office area plus 1 per 2,500 sq. ft. of sales display area. |
| Service Station | 2 per service bay, if service bays are included on site. 1 per 200 sq. ft. of any convenience store on site. |
| Towing and Impound | 1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area. |
| Banks and Financial Institutions (All subclassifications) | 1 per 300 sq. ft. of floor area. |
| Building Materials and Services | 1 per 400 sq. ft. of floor area; 1 per 600 sq. ft. of outdoor display area. |
| Business Services | 1 per 300 sq. ft. of floor area. |

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| Commercial Entertainment and Recreation (All subclassifications) | <p>Establishments with seating: 1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided.</p> <p>Bowling alleys: 2 per lane.</p> <p>Other Commercial Entertainment and Recreation uses: to be determined by Community Development Director.</p> |
| Eating and Drinking Establishments | |
| Bars/Night Clubs/Lounges | Minimum 2 spaces. 1 per 75 sq. ft. of customer seating area. |
| Coffee Shops/Cafes | 1 per 4 seats; no parking is required for outdoor seating when seats provided equal 50 percent or less of total indoor seating. |
| Restaurants | <p>1 per 125 sq. ft. of indoor and outdoor seating areas, up to 4000 sq. ft. of restaurant space.</p> <p>1 space for every 75 sq. ft. in excess of 4,000 sq. ft.</p> |
| Food and Beverage Retail Sales | 1 per 250 sq. ft. of floor area. |
| Funeral Parlors and Mortuaries | 1 for each 4 permanent seats in assembly areas, plus 1 per 250 sq. ft. of office area. |
| Hotels and Motels | <p>1 per each living or sleeping unit, plus 1 space for on-site employee.</p> <p>Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use.</p> |
| Light Fleet-based services | 1 per 300 sq. ft. of office floor area, plus one space for each fleet vehicle. |
| Maintenance and Repair Services | 1 per 350 sq. ft. of building floor area, plus one space for each fleet vehicle. |
| Nurseries and Garden Centers | 1 per 300 sq. ft. of floor area, plus 1 per 500 sq. ft. of outside display or greenhouse area. |
| Offices | |
| General Offices | <p>1 per 400 sq. ft. of floor area.</p> <p>Medical Offices: 1 per 250 sq. ft. of floor area for single tenant, 1 per 300 sq. ft. of floor area for multi-tenant facility. Several offices may share a</p> |

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| | single parking facility. |
| Walk-In Clientele | 1 per 300 sq. ft. of floor area. Several offices may share a single parking facility. |
| Parking, Public or Private | 1 per attendant station (in addition to the spaces that are available to public). |
| Personal Services | 1 per 200 sq. ft. of floor area. |
| Retail Sales | |
| Less than 10,000 square feet per business | 1 per 300 sq. ft. of floor area. |
| 10,000 to 50,000 square feet per business | 1 per 400 sq. ft. of floor area. |
| More than 50,000 square feet | 1 per 500 sq. ft. of floor area. |
| Swap Meets | 1 per 300 sq. ft. of floor area occupied by the swap meet, plus 1 space per vendor space leased. |
| Tobacco Bars | Minimum 2 spaces. 1 per 75 sq. ft. of customer seating area. |
| Wholesaling and Distribution | 1 per 2,000 sq. ft. of floor area. |
| Industrial Use Classifications | |
| Construction and Materials Yards | To be determined by Community Development Director. |
| Handicraft/Custom Manufacturing | 1 per 2,000 sq. ft. of floor area. |
| Industry, General | 1 per 1,000 sq. ft. of floor area. |
| Industry, Limited | 1 per 1,000 sq. ft. of floor area. |

| Recycling Collection Facilities | |
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| Recycling Collection Point | Minimum 1 space. Number of additional spaces to be determined by the Community Development Director. |
| Recycling Processing Facility | 1 for each 2 employees on the maximum work shift, or 1 per 1,000 sq. ft. of floor area, whichever is greater. |
| Salvage and Wrecking | 1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area. |
| Warehousing and Storage | |
| Chemical, Mineral, and Explosives Storage | 1 per 2 employees or 1 per 300 sq. ft. of office area, whichever is greater. |
| Indoor Commercial Storage | 1 per 1,000 sq. ft. of floor area. |
| Outdoor Storage | 1 per 2 employees or 1 per 300 sq. ft. of office area, whichever is greater. |
| Personal Storage | 1 space per 75 storage units, plus 1 space per 300 square feet of office area. A minimum of 5 spaces shall be provided. |
| Transportation, Communication, and Utilities Use Classifications | |
| Airports and Heliports | To be determined by the Community Development Director. |
| Telecommunication Facilities | |
| Antennae and Transmission Towers | Minimum 1 space for maintenance and servicing. Additional spaces to be determined by the Community Development Director. |
| Facilities within Buildings | To be determined by the Community Development Director. |
| Freight/Truck Terminals and Warehouses | 1 for each 2 employees on the maximum work shift, or 1 for each 3,000 sq. ft. of floor area, whichever is greater. |
| Transportation Passenger Terminals | To be determined by the Community Development Director. |

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| Utilities, Major | To be determined by the Community Development Director. |
| Utilities, Minor | None. |
| Agriculture and Extractive Use Classifications | |
| Crop Cultivation and Animal Raising | 1 for every 2 employees on the maximum shift. |
| Mining and Quarrying | 1 for every 2 employees on the maximum shift. |

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.303. - Reduction of parking requirements.

- (a) The number of parking spaces required by Table 4.4 may be reduced, and the type or location of parking spaces required may be modified as follows.
- (1) *Shared on-site parking.* Where two (2) or more uses on the same site have distinct and differing peak parking usage periods, (e.g. a theater and a bank), a reduction in the required number of parking spaces may be allowed by the Planning Commission. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use or activity served for the duration of the use or activity.
 - (2) *Waiver of parking.* The Planning Commission may reduce or waive the number of parking spaces required based on quantitative information provided by the applicant that documents the need for fewer spaces, such as a Parking Study.
 - (3) *Waiver of parking—non-peak-hour uses.* The Planning Commission may waive the parking requirements of this section for land uses that are determined by the Planning Commission to operate exclusively when their peak parking demand occurs after the peak period parking demand for the area, and adequate on-street or public parking is available.
 - (4) *Off-site parking.* A project that is not located within a parking assessment district may locate required parking away from the site of the proposed use.
 - a. *Location of parking.* Off-site parking shall be located within a 1,250 foot walking distance of the site. (This distance corresponds to a five (5) minute walk.) Where approved by the Planning Commission, off-site parking may be located at a more remote site.
 - b. *Evaluation of proposal.* In considering a request for off-site parking at a distance of greater than 1,250 feet, the Planning Commission shall consider whether adequate provisions, such as shuttle service, have been provided to bring drivers from the parking to the site.
 - c. *Guarantee of continued availability.* Required parking spaces that are off-site shall be committed by a recordable covenant, lease, or other agreement, acceptable to the City Attorney. The parties to the covenant, lease, or agreement shall include the owners, and if applicable, the lessees of the off-site parking spaces and the owners, and if applicable, the lessees of the subject site, with covenants reflecting the conditions of approval and the approved offsite parking plan.

- d. *Loss of off-site spaces.*
- (b) *Notification to the city.* The owner or operator of a business that uses approved off-site spaces to satisfy the parking requirements of this Section shall immediately notify the Community Development Director of any change of ownership or use of the property for which the spaces are required, and of any termination or default of the agreement between the parties.
- (c) *Effect of termination of agreement.* Upon notification that a lease for required offsite parking has terminated, the Community Development Director shall determine a reasonable time in which substitute parking is provided to the satisfaction of the Community Development Director, or the size or capacity of the use is reduced in proportion to the parking spaces lost.
 - (1) *Valet parking.* Off-site valet parking may be authorized through Conditional Use Permit approval.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.304. - Disabled/handicapped parking requirements.

Parking spaces for the disabled shall be provided in compliance with the Uniform Building Code (UBC), the Federal Accessibility Guidelines, and/or California Code of Regulations Title 24, as applicable. These spaces shall count toward fulfilling the parking requirements of this Code.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

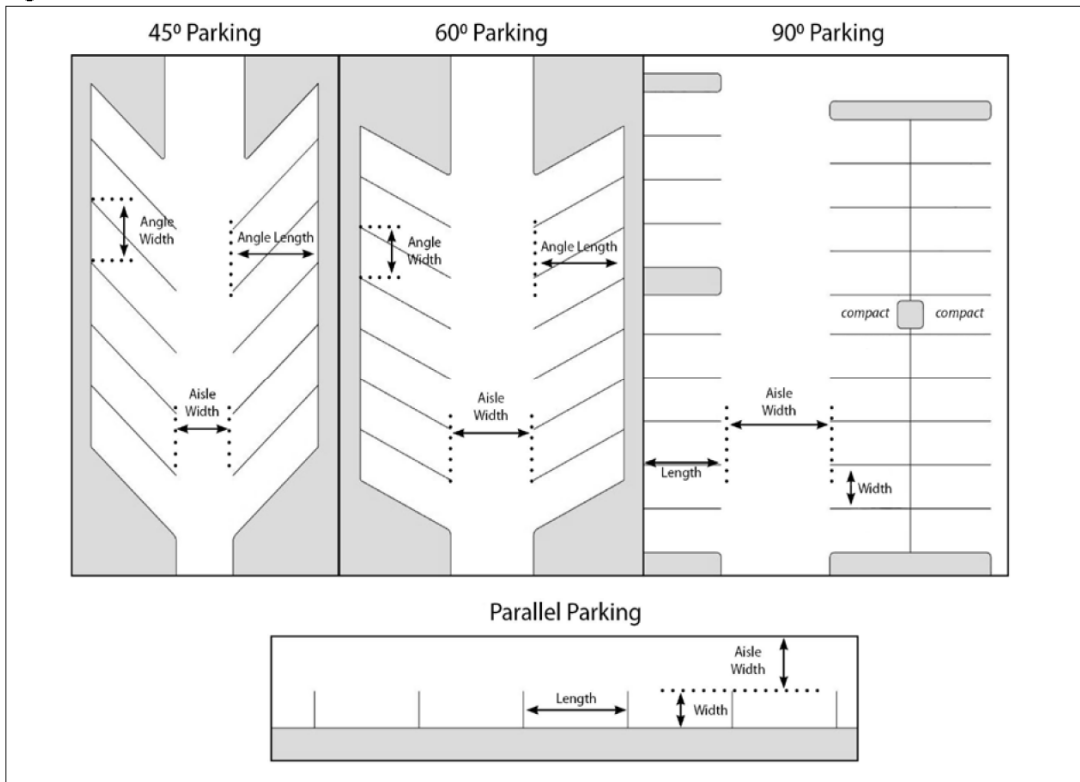
Sec. 9-4.305. - Parking design and development standards.

- (a) Required parking areas shall be designed and constructed as follows. The standards of this section may be modified by the Planning Commission where it determines that alternative parking designs and standards will more appropriately relate to the operating characteristics of the proposed development or new land use, while being equally effective in providing parking areas that are safe, convenient, use land efficiently, and are aesthetically attractive.
 - (1) *Access to Parking.*
 - a. Parking, including parking garages, shall be accessed from an alley or secondary frontage when possible. The opening of a parking lot or garage on a frontage shall not exceed two (2) lanes in width.
 - b. Pedestrian entrances to all parking lots and parking garages shall be directly from a frontage line. Only underground parking garages may be entered directly from a building.
 - c. Parking areas for nonresidential uses shall maintain a minimum unobstructed clearance height of fourteen (14) feet above areas accessible to vehicles.
 - (2) *Access to adjacent sites.* Applicants are encouraged to provide off-street vehicle access to parking areas on adjacent properties to provide for convenience, safety, and efficient circulation. Shared pedestrian access between adjacent properties is also strongly encouraged.
 - (3) *Parking space and lot dimensions.* Parking lots and stalls shall be designed with the following minimum dimensions.

| TABLE 4.5: STANDARD PARKING SPACE AND AISLE DIMENSIONS | | | | | |
|--|-------|--------|-------|-------------|--------------|
| Angle of | Width | Length | Drive | Angle Width | Angle Length |

| Parking | Standard | | Compact | | Aisle Width | Standard | | Compact | |
|------------------|----------|---------|----------|---------|-------------|----------|---------|----------|---------|
| | Standard | Compact | Standard | Compact | | Standard | Compact | Standard | Compact |
| 0° (Parallel) | 8'0" | 8'0" | 24' | 24' | 12' | N/A | | N/A | |
| 45° | 9'6" | 8'6" | 18'6" | 15'6" | 13' | 13'5" | 12' | 19'8" | 16'11" |
| 60° | 9'6" | 8'6" | 18'6" | 15'6" | 19' | 11' | 9'10" | 20'10" | 18'4" |
| 90° | 9'6" | 8'6" | 18'6" | 15'6" | 25' | N/A | | N/A | |

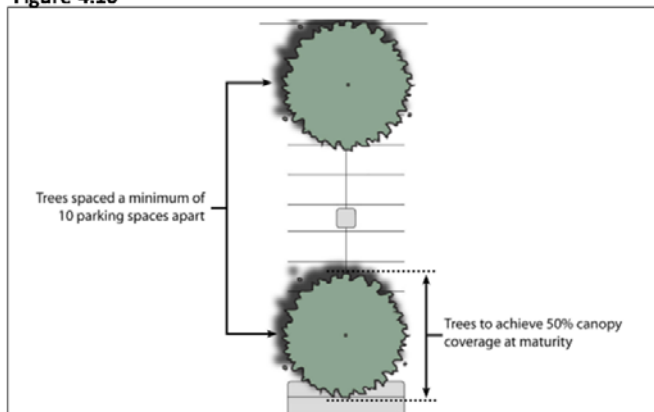
Figure 4.9



- Oversized parking.* Where the nature of the land use may reasonably anticipate the need to accommodate oversized vehicles, the Planning Commission may require at least ten (10) percent of required parking spaces to be oversized. Oversized spaces shall be at least one foot larger than standard parking spaces in each dimension.

- b. *Compact parking.* All parking spaces shall at a minimum comply with the standards outlined in Table 4.5. There are no provisions for compact parking spaces.
- (4) *Pedestrian connections.* Pedestrian ways five (5) feet or more in width may be required in conjunction with the requirements of Section 9-4.305(a)(5), Landscaping, of this article:
- a. To connect all on-site automobile and bicycle parking areas to all on-site buildings, open space areas, or pedestrian amenities.
 - b. Primary pedestrian routes and access points shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or another method. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.
- (5) *Landscaping.* Parking areas located in a Commercial, Mixed Use or Industrial district, shall be landscaped in compliance with the following requirements:
- a. *Proportion required to be landscaped.* A minimum of ten (10) percent of a parking lot shall be landscaped. A vehicle accommodation area shall include the area of a lot used by vehicles for access, circulation, parking, loading and unloading areas; it does not include space provided for display purposes or enclosed vehicle storage areas.
 - b. *Landscaping between streets and parking areas.* A landscaped planter with a minimum width of five (5) feet shall be provided adjacent to any public or private street wherever parking or circulation is generally located adjacent to such rights-of-way. The planter area shall be credited towards the minimum landscaped area required for the site as set forth in the above provision.
 - c. *Shade trees.* A minimum of one shade tree for every ten (10) parking spaces shall be provided, which shall achieve fifty (50) percent canopy coverage of paved area at maturity. The shade trees shall be located so as to provide visual relief to long rows of parked vehicles, and to provide shade to pedestrian connections. Canopy-type trees should be used to provide a relatively consistent tree cover that will shade vehicles and pavement. Shade trees shall also be provided at appropriate intervals between perimeter parking spaces. The shade tree species shall be selected from a master tree list maintained by the City.

Figure 4.10



- d. *Site design.* Landscaped areas are to be distributed throughout the entire vehicle parking and circulation area as evenly as possible and as required by the Community Development Director. In larger parking areas (two or more maneuvering aisles) interior landscaping shall be provided to additionally screen parking areas and to visually separate the parking area into smaller spaces.

- e. *Vision triangle.* A vision triangle shall be reserved at all driveways as a public safety feature. Within this area, no vegetation shall exceed a height of three (3) feet, except for trees that are pruned and maintained so as not to block the visibility of vehicles entering and exiting sites. The design and extent of the vision triangle shall be approved by the Community Development Director.
 - f. *Curbs and bumpers.* Where parking areas abut or overhang landscaped planters, the landscaping shall be protected by a continuous concrete curb not less than six (6) inches high, or an alternative material approved by the Community Development Director.
 - g. *Irrigation.* Irrigation shall be provided for landscaped areas in accordance with Section 6-4B.01 of the Municipal Code.
 - h. *Soil type.* Structural soil, rather than individual tree pits, shall be used wherever possible to encourage root growth, attain shade coverage, and prevent pavement failure.
- (6) *Lighting.* Parking lot lighting shall comply with the following requirements.
- a. Outdoor light fixtures shall be limited to a maximum height of fifteen (15) feet or the height of the nearest building, whichever is less.
 - b. Lighting shall be energy-efficient, and shielded or recessed so that:
 - 1. The light source (i.e. bulb or lamp) is not visible from off the site; and
 - 2. Glare and reflections are confined to the maximum extent feasible within the boundaries of the site.
 - 3. Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way.
 - c. No lighting on private property shall produce an illumination level greater than one footcandle on any property within a Residential Zoning District except on the site of the light source.
 - d. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness, as determined by the Community Development Director.
- (7) *Striping and identification.*
- a. *Vehicle spaces.* Parking spaces shall provide understandable markings to indicate where drivers should park. Subtle markings, such as contrasting colors in paving stones, are encouraged.
 - b. *Restriping.* The restriping of any parking space or lot shall be reviewed by the Community Development Director.
- (8) *Surfacing.*
- a. Parking spaces and maneuvering areas shall be provided with all-weather surfaces consistent with City standards and as approved by the review authority.
 - b. The City desires to reduce stormwater run-off and water pollution, and to allow for the replenishment of groundwater. For parking areas, the goal is to reduce the amount of run-off generating surface area. Therefore, permeable surfaces for parking and maneuvering areas are allowed. Acceptable permeable surfaces include:
 - 1. Pervious concrete;
 - 2. Pervious pavers;
 - 3. Gravel, bark or grass when reinforced to be adequately load-bearing.

Sec. 9-4.306. - Electric and hybrid vehicle parking.

- (a) Electric vehicle charging stations shall be of the same size as standard and accessible parking spaces.
- (b) New non-residential developments that require 100 parking spaces or more, including all non-residential components of Planned Developments, shall provide:
 - (1) Level-3 minimum electric vehicle charging stations, at one electric vehicle parking charging station for every 100 required parking spaces.
 - (2) At a public parking site, the first two (2) charging stations equipped with card-reading devices, or a charging station equipped with card-reading controls that can simultaneously charge two (2) or more electric vehicles, shall be accessible.
 - (3) Hybrid vehicle parking spaces at two (2) such parking spaces for every 100 required parking spaces.
- (c) New residential developments of 100 units or more, including all residential components of Planned Developments regardless of size, shall provide:
 - (1) 220-240 volt/40 amp outlets on a dedicated circuit and in close proximity to designated vehicle parking spaces in garages. Such provisions shall be sufficient to accommodate the potential future hardwire installation of one future Level-2 minimum electric vehicle charging station for every five (5) required parking spaces in multi-family developments, and/or one such station for every single-family residential unit with a garage.
- (d) New developments that require fifty (50) parking spaces or more are required to provide:
 - (1) Underground electrical conduits meeting current California Electrical Code requirements, for future vehicle charging stations, regardless of whether any electric vehicle charging stations will be installed at the start of operations.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.307. - Alternative modes of transportation.

- (a) Bicycle parking and facilities.
 - (1) Lockable bicycle parking shall be provided for commercial, industrial, and public facility projects with buildings greater than 5,000 square feet in size and for multi-family residential projects of four (4) or more units.
 - (2) Bicycle parking shall be provided at ten (10) percent of required automobile spaces. For public facilities, bicycle parking shall be provided at twenty-five (25) percent of required automobile spaces.
 - (3) Bicycle racks and lockers shall be located in highly visible locations with adequate lighting. Bicycle racks shall be designed such that bicycles may be secured in two (2) places.
 - (4) All developments with 20,000 square feet of gross area or more are required to include bicycle showers and lockers for employees, at a minimum of two (2) showers for the first 20,000 square feet of gross floor area, and one additional shower for every additional 10,000 square feet of gross floor area. The showers shall be designated male and female and shall be ADA compliant. Each shower shall include a toilet or be located within a restroom facility. Employee lockers shall be within fifty (50) feet of the provided showers.
- (b) All commercial, industrial and public facility projects of over 1,000 square feet are required to provide incentives to encourage their employees to use alternative modes of transportation, including but not limited to walking, cycling, and taking transit.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.308. - On-site loading.

- (a) *Loading spaces required.* A building, or part thereof, having a floor area of 10,000 square feet or more that is to be occupied by a manufacturing plant, storage facility, warehouse facility, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry-cleaning establishment, or other use similarly requiring the receipt or distribution by vehicles or trucks of material or merchandise shall provide at least one on-site loading space, plus one additional loading space for each additional 40,000 square feet of floor area. Such onsite loading space shall be maintained during the existence of the building or use that it is required to serve.
- (1) *Reduction in number of loading spaces required.* The loading space requirement may be waived upon a finding that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such loading space will not be needed.
 - (2) *Additional loading spaces required.* The required number of loading spaces may be increased to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required.
 - (3) *Minimum size.* Each on-site loading space required by this chapter shall not be less than twelve (12) feet wide, thirty (30) feet long, and fifteen (15) feet high, exclusive of driveways for ingress and egress and maneuvering areas.
 - (4) *Driveways for ingress and egress and maneuvering areas.* Each on-site loading space required by this chapter shall be provided with driveways for ingress and egress and maneuvering space of the same type and meeting the same criteria required for on-site parking spaces. Truck-maneuvering areas shall not encroach into required parking areas, travelways, or street rights-of-way.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.309. - Driveways.

- (a) The following standards apply to driveways in all development districts unless otherwise specified. Exceptions to the following standards and requirements may be requested and are subject to decision by the Planning Commission and the City Engineer.
- (1) *Width.* All driveways are limited to a combined maximum width of thirty-five (35) feet or forty-five (45) percent of the width of the parcel's frontage, whichever is less unless authorized by the City Engineer.
 - (2) *Visibility.* Driveway view triangles shall be subject to the visibility standards provided in Section 9-4.214 of this chapter.
 - (3) *Residential districts.* Driveways within Residential districts are subject to the following standards:
 - a. Properties are limited to one (1) driveway per parcel unless an encroachment permit has been obtained from the Public Works Department for a second driveway and all of the following standards have been met:
 - b. No more than fifty (50) percent of the entire front yard area may be paved regardless of purpose. (i.e. driveways, walkways, etc.)
 - c. Space must be provided behind the building setback for parking. No parking in the front yard.
 - d. No more than fifty (50) percent of lot frontage of any parcel shall be devoted to driveways.

- e. A minimum twenty (20) foot clear distance per lot frontage is required for on-street parking.
 - f. Handicap ramps are not permitted driveway approaches.
 - g. A secondary driveway for RV's may be allowed on corner lots with the approval of an encroachment permit from the Engineering Division.
 - h. Second Driveways must be located at a minimum of two (2) feet from any property line.
 - i. Driveways must be a minimum width of fifteen (15) feet, including flares, and a maximum width of thirty (30) feet.
 - j. Driveways shall conform to all City standards.
 - k. Cul-de-sac and knuckles are permitted subject to review and approval by the City Engineer and subject to all other standards related to second driveways.
- (4) *U-shaped driveways.* U-shaped driveways, or driveways with more than one connector to a street, alley, roadway, or other public right-of-way, shall be subject to the following standards:
- a. U-shaped driveways are permitted only within Residential districts.
 - b. U-shaped driveways are restricted to parcels with a width of at least one hundred (100) feet along the parcel's frontage.
 - c. The combined width of all entrances/exits of U-Driveways shall not exceed thirty-five (35) linear feet.
 - d. All U-shaped driveways must include a twenty-five (25) foot separation between each entrance/exit along the parcel's frontage, measured from the outside of the driveway flare.
- (5) *Through-lots.* All standards and provisions of this section shall apply to driveways on through-lots, unless transitional standards within Chapter 2 of this title permit otherwise.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014; [Ord. No. 825](#), § 1, eff. 2-2-2019; [Ord. No. 826](#), § 1, 3-9-2019)

ARTICLE 4. - PERFORMANCE STANDARDS

Sec. 9-4.401. - Purpose.

- (a) The specific purposes of this article are to:
- (1) Establish permissible limits and permit objective measurement of nuisances, hazards, and objectionable conditions;
 - (2) Ensure that all uses will provide necessary control measures to protect the community from nuisances, hazards, and objectionable conditions; and
 - (3) Protect any industry from arbitrary exclusion.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.402. - Applicability.

The requirements in this chapter apply to all land uses in all Zoning Districts, unless otherwise specified.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.403. - General standard.

Land or buildings shall not be used or occupied in a manner creating any dangerous, injurious, or noxious fire, explosive or other hazard; noise, vibration, smoke, dust, odor, or form of air pollution; heat, cold, dampness, electrical or other disturbance; glare, refuse, or wastes; or other substances, conditions or elements which would substantially adversely affect the surrounding area.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.404. - Location of measurement for determining compliance.

Measurements necessary for determining compliance with the standards of this chapter shall be taken at the lot line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.405. - Noise.

- (a) *Noise or acoustic study.* A noise or acoustic study shall be required for any proposed project which could create or be subject to noise exposure above the acceptable levels prescribed in the Safety, Air Quality and Noise Element of the General Plan.
- (b) *Noise attenuation measures.* Noise attenuation measures necessary to reduce noise impacts to acceptable levels to the extent feasible may be required to be incorporated into a project in accordance with the following:
 - (1) All new residential development shall achieve interior noise level reductions through sound insulation and other measures to meet the General Plan land use compatibility standards by acoustical design and construction of the structure and building elements.
 - (2) New dwelling units exposed to an exterior DNL above sixty-five (65) decibels shall incorporate the following noise reduction measures:
 - a. All facades shall be constructed with substantial weight and insulation;
 - b. Sound-rated windows providing noise reduction performance similar to that of the façade shall be included for all exterior entries;
 - c. Acoustic baffling of vents is required for chimneys, fans, and gable ends; and
 - d. Installation of a mechanical ventilation system affording comfort under closed window conditions.
 - (3) Sound walls or other attenuation measures designed to reduce noise by a minimum of ten (10) dB in residential areas adjacent to State highways when additional lanes are added or when new residential development or sensitive receptors would be exposed to noise above sixty-five (65) decibels. Please also see Section 9-4.203, Fences and Freestanding Walls.
 - (4) Other measures identified in an acoustic study conducted for the proposed project as necessary to reduce noise levels to "normally acceptable" levels.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.406. - Vibration.

No vibration shall be produced that is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, and trucks.) are exempt from this standard.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.407. - Lighting and glare.

(a) Activities, processes, and uses shall be operated in compliance with the following provisions:

- (1) *Lighting.* All security and site lighting shall be shielded to avoid "spill over" nuisance lighting to the existing adjacent uses. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights, no light or combination of lights, or activity shall cast light on a public street exceeding one foot-candle as measured from the centerline of the street. No light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half footcandle.
- (2) *Glare.* No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.408. - Maintenance.

(a) Property Owners shall have the following obligations for their property:

- (1) *General maintenance.* Sites and facilities shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
- (2) *Walls.* Walls shall be maintained in good repair, including painting, if required, and shall be kept free of graffiti, litter, or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height.
- (3) *Signs.* Every sign displayed within the city, including signs exempt from review, shall be maintained in good physical condition. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, free from graffiti, and painted where paint is required. The Community Development Director may order the repair or removal of any sign determined by the City to be unsafe, defective, damaged, or substantially deteriorated.
- (4) *Landscaping.* All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements.
- (5) *Trees.* Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects and disease. Any tree showing significant damage shall be replaced with another tree.

(b) The maintenance provisions of this chapter are in addition to those described in Section 7-6.101 of the Municipal Code.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.409. - Odors.

No use, process, or activity shall produce objectionable odors that are perceptible without instruments by a reasonable person at the lot lines of a site.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.410. - Heat and humidity.

Uses, activities, and processes shall not produce any emissions of heat or humidity that cause distress, physical discomfort, or injury to a reasonable person, or interfere with ability to perform work tasks or conduct other customary activities. In no case shall heat emitted by a use cause a temperature increase in excess of five (5) degrees Fahrenheit on another property.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.411. - Air contaminants.

- (a) *General operations.* Uses, activities, and processes shall not operate in a manner that emit excessive dust, fumes, smoke, or particulate matter.
- (b) *Compliance.* Sources of air pollution shall comply with rules identified by the Environmental Protection Agency (Code of Federal Regulations, Title 40), the California Air Resources Board, and the San Joaquin Valley Air Pollution Control District (SJVAPCD).
- (c) *San Joaquin Valley Air Pollution Control District (SJVAPCD) permit.* Operators of activities, processes, or uses that require "approval to operate" from the SJVAPCD, shall file a copy of the permit with the Community Development Department within thirty (30) days of permit approval.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.412. - Liquid or solid wastes.

- (a) *Discharges to water or sewers.* Liquids and solids of any kind shall not be discharged, whether directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the California Regional Water Quality Control Board. Storm runoff shall not drain directly across sidewalks in any areas other than over driveway approaches.
- (b) *Solid wastes.* Solid wastes shall be handled and stored so as to prevent nuisances, health, safety and fire hazards, and to facilitate recycling. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects, unless stored in closed containers.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.413. - Fire and explosive hazards.

All activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Fire fighting and fire suppression equipment and devices standard in industry shall be approved by the Fire Department. All incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, and those instances wherein the Fire Department deems it a practical necessity.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.414. - Hazardous and extremely hazardous materials.

The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Code, as well as the laws and regulations of the California Department of Toxic Substances Control and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, a sewage system or onto the ground.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.415. - Electromagnetic interference.

No use, activity or process shall cause electromagnetic interference with normal radio and television reception in any Residential district, or with the function of other electronic equipment beyond the lot line of the site in which it is situated. All uses, activities and processes shall comply with applicable Federal Communications Commission regulations.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)

Sec. 9-4.416. - Radioactivity.

All handling, storage, transportation, and use of radioactive materials shall comply with the provisions of the California Code of Regulations, Title 17, and any other applicable laws.

([Ord. No. 776](#), § 1(Exh. A), eff. 9-5-2014)