

Article 11. Standards for Specific Land Uses and Activities

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Sec. 1101. Incidental and Accessory Uses and Structures: This Section establishes the regulations and criteria of compatible incidental and accessory uses and structures within various land use zoning districts.

- A. An incidental or accessory use or structure shall be secondary to a primary use or structure and shall be allowed only in conjunction with a principle use or building to which it relates under the same regulations as the main use in any zoning district. See Article 25, Definition for list of typical accessory structures.
- B. The primary use shall normally be established prior to or at the same time that an incidental use or accessory structure is established. An incidental use or detached, accessory storage structure may not be established prior the primary use unless and until the property owner has provided the County with appropriate bonding to remove the structure if the primary use is not completed within two years.
- C. Maximum Site Coverage: The combination of accessory and primary structures on a parcel shall not exceed the maximum site coverage allowed by the land use regulations for the applicable zoning district.
- D. Unless otherwise provided, accessory structures and uses shall be subject to the same regulations as the primary structure or use, including projections into setbacks.

Sec. 1102. Home Occupations Including Firearms Dealerships:

- A. **Home Occupations; Minor:** Minor Home Occupations are those which do not generate any outside traffic (no on-site sales or services provided to customers) or change the character of the neighborhood within which it is located and shall comply with the following regulations:
 - 1. A minor home occupation shall be independently operated and limited in employment to the residents of the



dwelling within which the minor home occupation is conducted, and shall be clearly incidental to the use of the structure as a dwelling.

2. No structures other than the house and garage associated with the house shall be used for the minor home occupation.
3. There shall be no open storage of equipment or supplies on the site.
4. Other than normal maintenance and repair, there shall be no external alteration of appearances of the dwelling in which a home occupation is conducted.
5. A home occupation shall generate no additional pedestrian, automobile, or truck traffic other than the normal residential use on the site in that district.
6. Not more than one truck of not more than one-ton capacity and not more than one trailer incidental to a home occupation shall be kept on the site. Both the truck and the trailer must individually fit within a standard 10 feet-by-20 feet parking space.
7. Sales of products or provision of services shall be delivered offsite by the occupants of the residence, and no customers shall come to the site to take delivery of products or services at the site.
8. No signs shall be installed on the site advertising the products or services provided, other than one name plate, not to exceed two square feet in area.
9. No additional points of access to any street, road or highway shall be allowed other than the residence primary access or driveway.
10. A minor home occupation shall not create any radio or television interference or noise audible beyond the boundaries of the site.
11. A minor home occupation may not involve the performance of any repair services on the premises other than small appliances, small equipment, or other small objects which are normally capable of being carried by one person without the aid of mechanical equipment or devices.

B. Home Occupations; Rural: Rural Home Occupations in the AL-10, AG-20, AG-40, AX and RR Zoning Districts shall comply with the following regulations:

1. A home occupation shall be independently operated and limited in employment to the residents of the property.
2. All structures used shall be non commercial in appearance and shall be harmonious with the agricultural and rural residential areas.
3. There shall be no open storage of equipment or supplies, except when enclosed by a six-foot solid fence.
4. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount in the district.
5. There shall be no sales of products or services not produced on the premises, except where the sale of such products is clearly secondary to the permitted use.
6. The aggregate sign area related to the Home Occupation shall be limited to 50 square feet, with no individual sign exceeding 30 square feet in area.
7. All additional points of access (to any street, road or highway) shall be determined by the Zoning Administrator with regard to the nature of the traffic circulation in the area.



8. The home occupation must also remain unobtrusive to adjacent and nearby agricultural uses and services.

C. Contained Home Occupations, Urban: Urban home occupations shall comply with the following regulations:

1. A home occupation shall be conducted within a dwelling by an inhabitant thereof and shall be clearly incidental to the use of the structure as a dwelling. No one other than a resident of the dwelling shall be employed in the conduct of a home occupation.
2. A home occupation may be conducted within a completely enclosed garage but shall not be conducted in any other accessory structure and there shall be no storage of equipment or supplies in an accessory structure or outside the dwelling or garage.
3. There shall be no external alteration of appearances of the dwelling in which a home occupation is conducted for purposes relating to the home occupation.
4. The existence of a home occupation shall not be apparent beyond the boundaries of the site except for a name plate, not to exceed two square feet in area.
5. The business operation shall be consistent with the residential nature of the neighborhood and the use must also remain unobtrusive to adjacent and nearby uses and services.
6. A home occupation shall not create any radio or television interference or noise audible beyond the boundaries of the site.
7. Not more than one truck of not more than one-ton capacity and not more than one trailer incidental to a home occupation shall be kept on the site. Both the truck and the trailer must individually fit within a standard 10 feet-by-20 feet parking space.
8. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount in the district.
9. A home occupation may not involve the performance of any repair services on the premises other than small appliances, equipment, or other small objects which are normally capable of being carried by one person without the aid of mechanical equipment or devices.

D. Accessory Structure Urban Home Occupations: Upon approval of the Planning Commission, and subject to the conditions that follow, an urban home occupation may be conducted in a single accessory structure located on the same parcel as the residence to which the home occupation is incidental.

1. The accessory structure shall not exceed 625 feet in floor area and shall be located to the rear of the residence.
2. A home occupation shall be independently operated and limited in employment to the residents of the property, and no one other than a resident of the dwelling on the site shall be employed in the conduct of a home occupation.
3. All structures used shall be non commercial in appearance and shall be harmonious with the residential nature of the immediately surrounding neighborhood.
4. No open storage or use of equipment, supplies, or finished products shall be allowed. All equipment, supplies, and finished products shall be stored and used inside the accessory structure or dwelling on the site.
5. The existence of a home occupation shall not be apparent beyond the boundaries of the site except for a name plate, not to exceed two square feet in area.



6. A home occupation shall not create any radio or television interference or noise audible beyond the boundaries of the site.
7. Not more than one truck of not more than one-ton capacity and not more than one trailer incidental to a home occupation shall be kept on the site. Both the truck and the trailer must individually fit within a standard 10 feet-by-20 feet parking space.
8. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount in the district.
9. A home occupation may not involve the performance of any repair services on the premises other than small appliances, equipment, or other small objects which are normally capable of being carried by one person without the aid of mechanical equipment or devices, including items such as household appliances and gardening equipment, but not including such items as boats, automobiles, trucks, farm equipment, etc.
10. There shall be no sales of products or services not produced on the premises, except where the sale of such products is clearly secondary to the permitted use.
11. All additional points of access (to any street, road or highway) shall be determined by the Planning Commission after consultation with the Director of the County Public Works Department, with regard to the nature of the traffic circulation in the area.
12. The hours an urban home occupation in an accessory structure may be open to the public are only between 8:00 a.m. and 5:00 p.m., including weekends and holidays. Additional work by the occupant may be conducted between 7:00 and 8:00 a.m. and between 5:00 and 10:00 p.m., including weekends and holidays, but the home occupation shall be closed to the public during that time.
13. The Planning Commission, when considering an application for an urban home occupation in an accessory structure, shall impose such other conditions upon the granting of the use permit which are necessary for the protection of the public health, safety and general welfare, the environment, and are necessary to achieve the objectives of the Development Code.
14. The Planning Commission may deny granting a use permit if the Commission finds the use is not consistent with the objectives of the zoning district or the Development Code.
15. The use shall be terminated and the Conditional Use Permit revoked if the Planning Commission finds, after following the procedures described in Section 1715 of this Development Code, the use is disturbing the neighbors, causes excessive vehicular traffic (more than one additional vehicular trip per hour between 8:00 a.m. and 5:00 p.m.), or the operator has not complied with all of the applicable requirements of this Development Code or the conditions of the permit issued by the Planning Commission.

E. Firearm Dealerships as a Home Occupation

1. Although the Community Development Agency does not require a business license for firearms dealerships, a Site Plan Review is required for a home occupation involving the sales of firearms. Applicants should be familiar with California Penal Code Part 6, Title 4, Division 6, Chapter 2, commencing with Section 26700 regarding firearms license and the responsibilities as a firearms dealer. Home occupation permits for home occupations involving firearms sales, service, and repair include additional requirements not mentioned in the Urban and Rural Home Occupation Sections above. Those additional requirements include the following, copies of which must be presented to the Community Development Agency:
 - a. The applicant must possess a valid California Seller's Permit.
 - b. The applicant must possess a valid Federal Firearms License (FFL).



- c. The applicant must possess a valid Certificate of Eligibility (COE).
- 2. In addition to the initial home occupation permit issued by the Community Development Agency, the applicant will be issued a Local Firearms Dealer License by the Community Development Agency pursuant to Section 26700 of the Penal Code. Local Firearms Dealer Licenses are valid for 12 months from date of issuance. Applicants must apply for and be issued annual renewals of the Local Firearms Dealer License in order for the home occupation permit to remain valid. A fee set by the Board of Supervisors shall be collected at the time of application in order cover the cost of processing the renewal.

Sec. 1103. Open-Air Barbeque Facility: When an application is submitted for an open-air barbeque facility, the following findings shall be made by the Zoning Administrator before issuing a Site Plan Review:

- A. An open-air barbeque facility shall be sponsored by an on-site permanent retail business whose principal use is the retail sale of food, packaged or prepared.
- B. If the sponsoring business does not have an available restroom, authorization from a business within 200 feet must be provided in writing for employee(s) of open-air barbeque facility to use their restroom facilities.
- C. The open-air barbeque facility and the mobile food preparation unit shall not be located in any landscape areas or fire lanes and must not obstruct the safe view for traffic or vehicle ingress and egress in and out of the site. There must be a defined walkway available for pedestrians. The mobile food preparation unit shall be situated in such a way that individuals waiting to be served shall not block fire lanes or access to the primary business or impede vehicular traffic.
- D. The entire open-air barbeque facility including, without limitation, any related customer area and the location of the mobile food preparation unit shall be limited to a site area no greater than the equivalent of two regular sized adjacent parking spaces or a maximum of 360 square feet.
- E. A maximum of one table and four chairs or one picnic table may be placed in the open-air barbeque facility site area for use by customers. The placement of the table and chairs is to be shown on the site plan. Note: In addition to the number of parking spaces required for the sponsoring retail business, one additional parking space for the barbeque facility shall be required if on-site seating is provided.
- F. If the Zoning Administrator determines that the use negatively impacts parking for the sponsoring retail business, additional parking spaces may be required for the open-air barbeque facility over, and above, the number of spaces required by the sponsoring retail business.
- G. An adequate waste container shall be furnished for the use of customers. Such container shall be of easily cleanable construction, furnished with a tight-fitting cover, and shall be kept clean.
- H. An open-air barbeque facility shall be for a single specific location on a specific site only. The relocation of an open-air barbeque facility on or off the site will require a new Site Plan Review application and filing fee.
- I. A mobile food preparation unit shall be portable with attached wheels for convenient movement, relocation and storage.
- J. The mobile food preparation unit shall have a well maintained painted or factory finish. All equipment, furniture, sun screens, and other ancillary items used in conjunction with the mobile food preparation unit shall be well maintained and clean.
- K. Shade structures and sun screens are to be portable with fabric covers and shall not exceed 10 feet in height.
- L. The use of portable generators shall not be allowed, and there shall be no connections to any electrical or plumbing source.
- M. The open-air barbeque facility hours of operation shall not exceed the hours of operation of the sponsor.



- N. There shall be no sale of merchandise other than food items prepared on site by the open-air barbeque facility.
- O. If the “sponsoring” business moves from the site or closes, the open-air barbeque facility must become affiliated with another business at the site. A letter of authorization from the new “sponsor” and/or property owner must be submitted to the Community Development Agency.
- P. When the open-air barbeque facility is closed, the mobile food preparation unit may remain in place or it may be removed from the site each day and returned to its approved location the next business day. If the open-air barbeque facility remains closed for 7 consecutive days or more, the mobile food preparation unit and all associated items shall be removed or stored out of sight. If the open-air barbeque facility remains closed for 6 months or longer a new Site Plan Review shall be required before the use can resume.
- Q. The applicant shall provide a copy of their Kings County Food Vending Permit (if such permit is required) at time of application and shall ensure that the food vending permit remains valid for the life of the use.
- R. Except as specifically set forth in this Article, an open-air barbeque facility use shall meet all of the standards, including yard requirements, for the zoning district in which it is located.

Sec. 1104. Outdoor or Off-Site Advertising Structures: Outdoor or Off-Site Advertising Structures shall be allowed only in the CT, CS, CH, IL, and IH Zoning Districts. Except as provided in the CH zoning district in the immediate area of interchanges along Interstate-5 as noted in Subsection G below, Outdoor or Off-Site Advertising Structures shall be allowed only as follows:

- A. All outdoor or off-site advertising structures shall comply with the yard requirements of the districts in which they are located.
- B. No outdoor or off-site advertising structure permitted by this Section shall be placed within 30 feet of a street intersection (intersecting curb lines) unless placed on a pole at least 12 feet above the ground or unless placed at a maximum height of three feet above ground.
- C. No outdoor or off-site advertising structure permitted in accordance with this Section, which faces and is located directly across the street from property situated in an R or RM District, shall be directly illuminated or flashing.
- D. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- E. The maximum aggregate copy area per site or per use shall be 240 square feet on each side of the Outdoor or Off-Site Advertising Structure.
- F. Outdoor or off-site advertising structures may have copy on both sides of the structure, provided that the copy area on each side does not exceed the maximum area specified above.
- G. Within the CH Zoning District, in the immediate area of interchanges along Interstate-5, the Planning Commission may approve through a Conditional Use Permit, illuminated signs advertising highway traveler services at that interchange which exceed the maximum copy area per site or per use allowed by this Section, Section 604.H. above and Article 14 of this Development Code. However, such advertising structures shall not be larger than is necessary to be clearly seen by travelers on Interstate 5. Outdoor or Off-Site Advertising Structures constructed in compliance with this Section shall be designed by a professional engineer and shall not pose safety hazards. Such structures may be located on the actual site of the business or service being advertised. Off-Site Advertising Structures shall also be permitted along Interstate 5 within the CH Zoning District, provided that such structures are clustered in not more than two sites per interchange.

Sec. 1105. Alcoholic Beverage Sales:



- A. For the purposes of this Development Code, uses involving the sale of alcoholic beverages generally fall into one of two main categories as established by the California Department of Alcoholic Beverage Control (ABC). There are several different ABC License types that describe the alcohol use in further detail. However, the two main categories as used in this Development Code are:
1. **On-Sale:** “On-sale” refers to an ABC license use that authorizes the sale of alcohol for consumption on the premises where sold.
 2. **Off-Sale:** “Off-sale” refers to an ABC license use that authorizes the sale of alcohol for consumption off the premises where sold.
- B. State law generally requires a local jurisdiction to make a “Determination of Public Convenience or Necessity” before the ABC will issue a license to sell alcohol on a site.
1. Applicants for an ABC license who have been required by the ABC to obtain from the County a Determination of Public Convenience or Necessity shall submit the request to the Zoning Administrator for review.
 2. The Determination of Public Convenience or Necessity application must be accompanied by documentation that the use is legal as follows:
 - a. Copy of the Site Plan Review or Conditional Use Permit allowing the alcohol related use (on sale or off-sale of alcohol beverages); or
 - b. Documentation that the alcohol use is legal non-conforming; or
 - c. Documentation that alcohol sales are incidental to a legal use.
 3. Upon completion of a review by the appropriate County agencies, the Request for Public Convenience or Necessity will be forwarded to the Board of Supervisors for a public hearing and a final determination of public convenience or necessity.
- C. In the case of an existing use, if the type of ABC license for the address of the establishment is changed, the ABC license is transferred to a different address, or the use itself is expanded in any way, including but not limited to those operational standards such as hours of operation or restriction on amplified music that are applied by ABC, the use shall be subject to approval by the same approving authority that approved the original permit. Uses such as religious facilities, social centers, art galleries, fraternal halls or private clubs that sell or serve beer, wine and/or distilled spirits only to members and their guests or at special events shall not be subject to these restrictions.
- D. Liquor stores and other “off-sale” establishments that dedicate more than 25% of the sale floor to sales of alcoholic beverages for off-premises consumption, but excluding full-service grocery stores, shall require a Conditional Use Permit and shall be located, developed and operated in compliance with the following standards:
1. **Location.** In all permitted commercial zoning districts, such establishments shall be located:
 - a. No closer than 500 feet from any other use involving the off-sale of alcoholic beverages
 - b. No closer than 500 feet from a residence.
 - c. No closer than 600 feet from churches, hospitals, child care center, non-profit youth facility, public park or playground, and schools.
 2. **Litter.** Trash receptacle shall be provided by entrances and exits from the building.
 3. **Seating.** There shall be no outside seating provided.



4. **Pay Telephones and Vending Machines.** External pay telephones and vending machines are prohibited.
 5. **Operation:** The use shall be operated and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to surrounding properties and occupants. This shall encompass the upkeep and maintenance of exterior facades of the building, landscaping, designated parking areas serving the use, fences, and the perimeter of the site, including all public sidewalks, alleys, and streets.
 6. The use shall be operated and maintained in accordance with all applicable local, state, or federal codes, laws, rules, regulations and statutes including those of the ABC, the County's General Plan, and all zoning or nuisance regulations of the County.
- E. The off-sale of alcohol as incidental sales in conjunction with the sale of gift baskets, balloons and flowers is exempt from the requirement of a conditional use permit and may be permitted through a Site Plan Review approved by the Zoning Administrator.
- F. A Conditional Use Permit is generally required for any new use shown in any zoning district that involves the sale of alcoholic beverages for on-premises (On sale) consumption as follows:
1. Any establishments that require or obtain an ABC license number except 41, 47, and 75.
 2. New commercial uses permitted that include the incidental sales of alcoholic beverages in the CN, CT, and CR zoning district and are located within 300 feet of any school site and/or R1, RM, or RR zoning district.
- G. A Conditional Use Permit for the incidental sales of alcoholic beverages is not required for:
1. Restaurants and other similar "on-sale" establishments that require or obtain a special ABC license number 41, 47, or 75 to sell or serve beer, wine, and/or distilled spirits in conjunction with the business. Such uses may be permitted through a Site Plan Review approved by the Zoning Administrator.
 2. Existing uses allowed in the CN, CT or CR zoning district that include the incidental sales of alcoholic beverages that were established prior to August 24, 2000.

Sec. 1106. Emergency Shelters: Emergency shelters for homeless individuals and families when permitted, shall comply with the regulations of the zoning district in which they are located and shall also comply with the following additional regulations:

- A. The maximum number of beds or persons to be served nightly shall be limited to the rated capacity and maximum occupancy of the structure(s) as established by the fire marshal.
- B. Off street parking shall be provided for the shelter based on the demonstrated need and as required by Article 13, Section 1302.
- C. Each emergency shelter shall have a client intake area/waiting room located inside the emergency shelter.
- D. Each emergency shelter shall be staffed with on-site management. At a minimum, at least one staff member shall be present on-site at all times that the shelter is occupied by homeless individuals.
- E. Security for the shelter shall be provided during all hours the shelter is in operation.
- F. The length of stay is intended to be limited to a six month period of time for each individual. Lengths of stay may be extended, if approved by shelter management, based on availability of beds.
- G. No individual or household may be denied emergency shelter because of inability to pay.



Sec. 1107. Temporary Land Use Permits: Due to the temporary nature and short duration of certain land uses, the issuance of a formal land use permit such as a Site Plan Review is impractical. A Temporary Use Permit (TUP) allows short-term activities that might not meet the normal development or use standards of the applicable land use zoning district, but may otherwise be acceptable because of their temporary nature. Except as specified in Subsection A (Temporary uses Exempt from Permits), the establishment and operation of a temporary land use shall require the approval of an TUP:

A. Temporary Land Uses Exempt from Permits: The following Temporary Uses are permitted without the approval of an administrative permit:

1. Garage/yard sales in residential zoning districts are allowed up to four times per calendar year for no more than three days per event.
2. Public emergency facilities established for the purposes of health and public safety during a declared emergency.
3. Car washes for the purpose of fundraising when sponsored by a religious, educational, fraternal, or service organization directly engaged in civic or charitable efforts. Car washes shall be limited to two days each month for each sponsoring organization.
4. Public events and activities when conducted on public property as approved by the Board of Supervisors or its designees.
5. Temporary construction yards that are located on-site, less than one acre in size, and established in conjunction with and approved project. The construction yard shall be immediately removed within 10 days of completion of the project or expiration of the building permit.

B. Temporary Uses Requiring Permits or Registration: The following temporary uses are permitted subject to the issuance of a TUP or a temporary registration of the use:

1. **Subdivision Sales Offices:** Temporary subdivision sales offices, when proposed pursuant to Article 5, Section 505, Table 5-1, shall be located within the subdivision, or on an adjacent site which is not part of another residential development project or subdivision, where the sales of the lots or homes will take place as follows.
 - a. Temporary subdivision sales offices may be allowed for a period not to exceed two years from the date of recordation of the subdivision map.
 - b. Temporary subdivision sales offices may be approved prior to recordation of the subdivision map however, if the map is not recorded within 90 days of the issuance of the Certificate of Occupancy the temporary subdivision sales office shall be removed.
 - c. Temporary subdivision sales offices shall be removed prior to the expiration of two years from the date the subdivision map is recorded, unless an extension of time for not more than 12 months is granted by the Zoning Administrator.
 - d. Upon expiration of time limits and extension periods cited above, subdivision sales offices shall be removed at the expense of the owner of the site. Note: For temporary sub-division signs, see Sections 1404.C.3 and 1404.D.10.
2. **Festivals, Outdoor Concerts, Circuses** and similar events involving large assemblages of people, for up to two weeks per year subject to the applicable requirements contained below.
 - a. When an application is submitted for an outdoor festival, carnival or circus, additional information shall be provided by the applicant as follows:



- (1) The identification of the owner, area and shape of the premises on which it is planned to conduct the outdoor event, including any land to be used for parking or other uses incidental to the outdoor festival, carnival or circus.
- (2) The date or dates and the hours during which the festival, carnival or circus, is to be conducted.
- (3) An estimate of the maximum number of customers, spectators, participants and other persons expected to attend the outdoor festival, carnival or circus, for each day it is conducted, together with detailed information supporting such estimate.
- (4) A detailed explanation of the applicant's program and plans to supply security protection, water supply and facilities, food supply and facilities, sanitation facilities, medical and first aid facilities and services, vehicle parking space, vehicle access and on-site traffic control.
- (5) The number of loudspeakers and sound equipment to be used, their locations, and the intensity of the sound, in decibels, at the boundaries of the premises.
- (6) The names and addresses of all persons who will act as security guards during the outdoor festival, carnival or circus.
- (7) If it is proposed or expected that spectators or participants will remain overnight, the arrangements for illuminating the premises and for camping or similar facilities.
- (8) Provisions for clean-up of the premises and removal of rubbish after the event has concluded.
- (9) A written consent to the entry at any time in the course of his or her duties of any peace officer, employee of the Community Development Agency, County Engineer, Fire Marshal, Sheriff, County Health Officer, or any other county officer or employee in the performance of his or her duties.
- (10) The location of all toilets, medical, drinking and other facilities shall be shown on the required site plan.
- (11) The agreements or contracts which show what doctors, first aid attendants and ambulances will be available at the outdoor festival, carnival or circus.
- (11) An agreement signed by the applicant that, within 72 hours after the conclusion of the outdoor festival, carnival or circus, he/she will clean up the premises and remove all trash and debris therefrom. Such agreement shall be secured by a performance bond, letter of credit, cash deposit or deposit of a negotiable instrument acceptable to the County Director of Finance in a total amount of not less than \$5,000.00.
- (12) An agreement signed by the applicant and by the owner of the subject premises that they will reimburse all owners and occupants of property adjoining the subject premises for all damages of any kind to such owners or occupants or to their property caused by the applicant, owner of the subject premises, or by any person attending the outdoor festival, carnival or circus, which damage would not have occurred had the outdoor festival, carnival or circus not been held, and a performance bond, letter of credit, cash deposit, deposit of a negotiable instrument acceptable to the County Director of Finance, or a policy of Commercial General Liability insurance in the amount of not less than \$1,000,000.00.
- (13) The security instruments required by subparagraph (12) above shall be assigned to the County of Kings for its own benefit and for the benefit of all persons to whom the applicant or owner may become liable because of the agreement required by said paragraph (12) or arising from the holding of the outdoor festival, carnival or circus.

(Ordinance No. 668-2-16, §2, 1/26/16)



(14) An applicant for of an outdoor festival, carnival or circus who deposits with the tax collector and assigns to the county savings and loan certificates or shares in lieu of, or in addition to, the undertaking or policy of insurance required by subparagraph (12) above, also, at the same time shall file with the tax collector an agreement in writing in which he agrees that the county may satisfy either in whole or in part, from such certificates or shares, any final judgment or any judgment upon which execution may issue, the payment of which is, or would have been guaranteed by the undertaking required by this Section.

(Ordinance No. 668-2-16, §3, 1/26/16)

3. **Recreational Vehicles Occupied as Temporary Dwellings Supplemental to an Existing Residence:** There may be times when relatives or guests of the resident or property owner visit for short period of times where they desire to use a travel trailer or recreational vehicle as a temporary dwelling unit. Such temporary use may be permitted subject to the following requirements:
 - a. The use of a travel trailer or recreational vehicle as a temporary dwelling unit for visiting relatives or guests shall be limited to periods of not more than 14 days and no more than three times per year per residence. Under no circumstances shall the travel trailer or recreational vehicle be used as a permanent dwelling.
 - b. No on-site discharge of any waste or grey water is permitted and sewage disposal shall be at the Kings County Public Works, County Shop on 11th Avenue in Hanford or other authorized disposal site.
 - c. The travel trailer or recreational vehicle shall not be connected to the main residence except through the use of the electrical cord supplied by the manufacturer of the travel trailer or recreational vehicle.
 - d. A recreational vehicle may also be used as a temporary dwelling to care for an infirm parent, grandparent, child, grandchild or sibling for a maximum period of 60 days, or until the condition requiring the care no longer exists, whichever is the shorter period of time. A letter from a Doctor is required to document the need for the extended use.

4. **Recreational Vehicles Occupied as Temporary Dwellings During Construction of a Residence:** Use of a travel trailer or recreational vehicle as a temporary dwelling unit shall be permitted during construction of a single-family residence or due to rehabilitation of a single-family residence that has been damaged by fire, earthquake, tornado, other acts of nature, or has been deemed condemned or uninhabitable by the County. The establishment of a temporary dwelling as allowed by this Section shall be located on the same parcel where the new residence is being constructed and comply with the following requirements:
 - a. The applicant shall obtain the necessary permits or clearance from the Kings County Environmental Health Division for the travel trailer or recreational vehicle installation/use.
 - b. The travel trailer or recreational vehicle installation may be connected with temporary power provided during construction of the residence or may be powered by a generator.
 - c. The occupant shall obtain a building permit from the Kings County Building Division for the single-family residence.
 - d. No on-site discharge of any waste or grey water is permitted and sewage disposal shall be at the Kings County Public Works, County Shop on 11th Avenue in Hanford or other authorized disposal site.
 - e. Within six months of the date of issuance of the building permit, the occupant shall complete the foundation, rough plumbing, framing and the roof of the proposed single-family residence.
 - f. The single-family residence shall be completed within a one-year period and the travel trailer or recreational vehicle shall be vacated and either removed from the property or properly stored in the rear or side yard.



5. **Farmer's Markets:** A Temporary Permit (TP), valid for a maximum of three days per week, shall be obtained prior to the establishment of a farmer's market within any zoning district which permits farmer's markets subject to the following:
 - a. Farmer's markets established in compliance with this Section shall be established only on private property with the express permission of the owner of the property.
 - b. The occupant shall obtain any necessary permits from the Kings County Public Works Department for the farmer's market.
 - c. The applicant shall obtain the necessary permits from the Kings County Environmental Health Division for the farmer's market.
 - d. If a farmer's market will be located within a public utility district or community service district, the applicant shall coordinate the farmer's market with the appropriate district(s).
6. Similar temporary activities determined by the Zoning Administrator to be compatible with the applicable zoning district and surrounding uses.

C. Additional Requirements. All temporary uses shall comply with the following additional requirements:

1. Upon, or prior to, the expiration of the temporary use approval, any temporary structures, and all appurtenances thereto, shall be removed from the property.
2. The site shall be cleared of debris, litter and other trash upon expiration of the temporary use or temporary registration approval.

D. Application Filing, Processing, and Review. An application for a Temporary Use Permit shall be filed with the Community Development Agency and processed in the following manner:

1. The application for a TUP shall be made on forms furnished by the Planning Division and pertaining to the temporary use. Please contact the Community Development Agency for the appropriate temporary use packet.
2. The application shall be accompanied by the information identified in the Planning Division handout for each of the temporary uses. It is the responsibility of the applicant to provide the information or evidence in support of the findings required by Section 1107.B above for the particular temporary use.
3. Time for filing. An application for a Temporary Use Permit shall be submitted for approval at least 10 days before the date that the proposed use is scheduled to take place.
4. Public hearing not required. A public hearing shall not be required for a decision on a Temporary Use Permit.

E. Findings and Decision.

1. A Temporary Use Permit may be approved, modified, conditioned, or disapproved by the Zoning Administrator, without the requirement for a noticed public hearing.
2. The Zoning Administrator may defer action and refer the application to the Commission for review and decision at a scheduled public hearing.
3. The Zoning Administrator may approve or conditionally approve a Temporary Use Permit application, only after first finding that:



- a. The establishment, maintenance or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;
- b. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County;
- c. Appropriate 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 Development Code;
- d. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA); and
- e. The proposed use shall not involve any activity forbidden by State, Federal or Local law.

F. **Conditions of Approval.** In approving a Temporary Use Permit, the Zoning Administrator may impose conditions (e.g., buffers, hours of operation, landscaping and maintenance, lighting, off-site improvements, parking, performance guarantees, property maintenance, signs, surfacing, time limits, traffic circulation, etc.) deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Section 1107.B above for the particular temporary use.

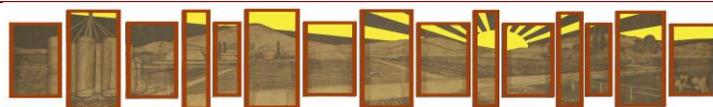
Sec. 1108. Mobile Home Reviews: A Mobile Home Review (MHR) is a Site Plan Review process that is used specifically to permit the installation of a mobile home on a parcel within the unincorporated areas of the County. The submission and processing procedures and requirements located in Article 16 for Site Plan Reviews shall apply.

A. As noted in the land use regulations for each zoning district, certain instances exist where mobile homes are proposed to be installed on a parcel where the mobile home installation must be processed through the submission of a Site Plan Review process referred to in this Development Code as a MHR.

- 1. The purpose of a MHR is to ensure that:
 - (a) The mobile home meets the established criteria for installation on a parcel, either as a permanent or temporary residential use; and
 - (b) That the installation of the mobile home meets the required setbacks and other development requirements.
- 2. Even though the administrative process for a MHR is the same or, in most cases, very similar to a Site Plan Review the fee for the permit issued is lower than the fee for other Site Plan Reviews.

B. A mobile home may be installed on a parcel through the MHR process as:

- 1. A farm employee dwelling incidental to a permitted or conditional farming operation.
- 2. A second dwelling unit incidental to a primary dwelling unit.
- 3. A temporary dwelling unit for persons 62 years of age or older who are immediate family members of the occupant(s) of the primary single-family dwelling unit on the parcel.
- 4. Temporary second dwelling unit for an infirm parent, grandparent, child, grandchild, or sibling of any age for the maximum period of time necessary to care for the infirm person.
- 5. A watchman's or caretaker's quarters incidental to a commercial or industrial use.



- C. In certain situations, a mobile home may be temporarily stored without being issued a building permit for installation in the Agricultural (A) zoning districts provided that the following findings are made by the Zoning Administrator before issuing a Mobile Home Review.
1. Only one mobile home may be temporarily stored on a property at any one time, and the MHR shall apply to only one specific mobile home (the permit is not transferable to another mobile home);
 2. The mobile home shall not be occupied at any time while it is being stored, and a sign at least one foot square with one inch block letters shall be posted on the door(s) with the statement “DO NOT OCCUPY”;
 3. The owner of the property upon which the mobile home is stored shall post and maintain a bond of sufficient value, in favor of Kings County, to abate the mobile home if it is either occupied while on the property, dismantled while on the property and left for scrap, or is not removed at the end of 12 months (or 24 months if an extension is granted), or properly installed on the parcel through a building permit issued by the Building Official;
 4. The owner of the property upon which the mobile home is stored shall sign (under penalty of perjury) and record a statement that the mobile home shall not be occupied and the County shall be allowed to abate the mobile home using the bond to pay for the abatement if it is occupied, dismantled while on the property and left for scrap, or is not removed at the end of 12 months (or 24 months if an extension is granted);
 5. The mobile home may be stored for a maximum of 12 months with an option for a maximum of one 12 month extension approved by the Zoning Administrator. The extension must be requested in writing prior to the expiration of the first 12 month period;
 6. The stored mobile home shall only be for a mobile home owned by the owner of the property or the lawful tenant in residence of the property, and shall not be associated with any commercial enterprise or third party;
 7. The stored mobile home shall comply with the following requirements:
 - a. It shall meet all applicable setback and yard requirements of this Development Code;
 - b. It shall be stored to the side or rear of a permitted or conditional use on the site;
 - c. It shall be located in such a manner that is not conspicuous that it is being stored on the site, shall blend into its surroundings, be maintained free from an oxidized color, and shall appear neat, clean, and in good repair from any public roadway or neighboring property;
 - d. If the mobile home is a double-wide mobile home or is otherwise transported in separate Sections, the Sections shall be stored side by side in the same location to minimize the visual impact of the uninstalled mobile home;
 - e. It shall have a state insignia of approval and the mobile home shall be maintained so as to retain the state insignia approval, and shall be currently licensed by the state;
 - f. The undercarriage and wheels shall remain on the mobile home while it is stored;
 - g. No temporary or permanent utility connections shall be installed;
 - h. It shall not be used as a storage unit or for the storage of any goods, merchandise, property, junk, etc.; and
 - i. It shall comply with all state and local regulations;
 8. Mobile home storage shall not be allowed on “Williamson Act” contracted land.

Sec. 1109. Manufactured Housing Community and Mobile Home Parks: Manufactured housing community and mobile home parks established or enlarged after the effective date of this Development Code shall comply with the following regulations:



- A. Applicants proposing any manufactured housing community/mobile home park within County jurisdiction shall be required to submit an application for a Conditional Use Permit and obtain approval from the Planning Commission for such a park.
- B. Manufactured housing communities/mobile home parks shall be required to connect to the water and sewer services of the district in which they propose to be located. Any manufactured housing community/mobile home park development proposed within a city fringe area shall be required to annex to the city pursuant to Objective LU 1.1 of the Land Use Element of the *2035 Kings County General Plan*.
- C. Applications for manufactured housing communities/mobile home parks shall be accompanied by a detailed site plan which complies with the listed requirements shown in the Conditional Use Permit application and clearly depicts the number of units proposed in order for service capacity levels to be established.
- D. Manufactured housing communities/mobile home parks shall, as a condition of approval, obtain all permits required by Housing and Community Development (HCD), California Health and Safety Code, California Code of Regulations or any other agencies, required to construct and operate such a park.
- E. A manufactured housing community or mobile home park shall have a minimum site area of two acres with the maximum density determined by the density of the land use zoning district in which it is located.
- F. A manufactured housing community/mobile home park shall provide one or more recreational spaces, each not less than 5,000 square feet in area, developed for use by children. The aggregate area shall be not less than 200 square feet for each lot within the park.
- G. Sufficient parking spaces shall be provided within the park to preclude the need for routine on-street parking by occupants and guests of the park. The Planning Commission may require additional parking within the park if it is determined that there are insufficient parking spaces within the park which would necessitate on-street parking of vehicles belonging to residents of the park, including recreational vehicles, more than one vehicle per home, guest parking, etc. All areas used for automobile circulation or parking shall be improved as prescribed in Section 1303 of Article 13.
- H. Each mobile home space shall have access upon a driveway from the mobile home lot to an abutting roadway of not less than 25 feet in clear width. All driveways shall be kept clear and have unobstructed access to a public thoroughfare.
- I. Manufactured housing community/mobile home parks shall be located on or have direct access to a major street or highway.
- J. Not less than five feet of yard adjoining a property line of a mobile home park shall be landscaped and permanently maintained. The Planning Commission shall require additional landscaping and fences or walls where necessary to ensure privacy, protect adjoining property, insulate against noise or glare, or screen unsightliness.
- K. No accessory structure other than a carport, garden structure, storage building, temporary sun or wind shelter shall be erected for the use of the occupants of an individual trailer.
- L. Signs which are outside the park walls or extend above the height of the parks walls shall only be allowed pursuant to Article 14 for the zoning district in which the park is located.
- M. Public address systems or loudspeakers shall not be allowed if audible outside the boundaries of the mobile home park.
- N. All manufactured housing community/mobile home parks and their appurtenant structures shall comply with state and county laws and regulations as applicable pertaining to their construction, maintenance and use.
- O. The California Department of Housing and Community Development shall enforce state law and regulations that apply to the maintenance, use, occupancy, sanitation, and safety of manufactured housing community/mobile home parks or that apply to the operation of them.



Sec. 1110. Temporary Recreational Vehicle or Special Occupancy Parks: Special Occupancy parks for recreational vehicles may be established and shall comply with the following regulations:

- A. Applicants proposing any temporary recreational vehicle park within County jurisdiction shall be required to submit an application for a Site Plan Review and obtain approval for such a park prior to establishing the use.
- B. Applications for temporary recreational vehicle parks shall be accompanied by a detailed site plan which complies with the listed requirements shown in the use permit application and clearly depicts the number of units proposed.
- C. Sufficient parking spaces shall be provided within the park to preclude the need for routine on-street parking by occupants and guests of the park. The Zoning Administrator may require additional parking within the park if it is determined that there are insufficient parking spaces within the park which would necessitate on-street parking of vehicles belonging to residents of the park, including recreational vehicles, more than one vehicle per home, guest parking, etc. All areas used for automobile and recreational vehicle circulation or parking shall be improved so as to provide a durable dustless surface as per Section 1302 of this Development Code.
- D. Temporary recreational vehicle parks shall be located on or have direct access to a major street or highway.
- E. Not less than five feet of yard adjoining a property line of a mobile home park shall be landscaped and permanently maintained. The applicant shall provide additional landscaping, screening, fences or walls where necessary to ensure privacy, protect adjoining property, insulate against noise or glare, or screen unsightliness.
- F. No accessory structures shall be erected for the use of the occupants of the recreational vehicles. Fabric covered temporary carports and vehicle shades that do not constitute a structure, and therefore do not require a building permit, may be located anywhere in the park. (See Section 1307 for additional information.)
- G. The dumping of any waste tank, gray water tank, or direct discharge of any waste directly to the land is strictly prohibited. All discharge of wastes shall only be performed at an authorized dump station. Failure to comply with this standard may result in immediate revocation of the use permit for the temporary recreational vehicle park.
- H. Temporary recreational vehicle spaces may be rented or leased for periods up to 11 days.
- I. All temporary recreational vehicle parks shall comply with state and county laws and regulations as applicable pertaining to their construction, maintenance and use.

Sec. 1111. Temporary Recreational Vehicle Use for Agricultural Employees and Migrant Workers: An area or tract of land which is zoned for agricultural purposes where two or more lots are rented, leased or held out for rent or lease may be used to accommodate 12 or fewer recreational vehicles as temporary housing for agricultural employees and migrant farm workers.

- A. The area or tract of land for 12 or fewer recreational vehicles for agricultural employees and migrant farm workers shall not be considered a temporary recreational vehicle park for the purposes of permitting requirements as noted in Section 1110 above.
- B. The area or tract of land for 12 or fewer recreational vehicles for agricultural employees is not intended to provide permanent housing for such employees and the recreational vehicles may not be placed permanently on site. No permanent connection to utilities is allowed.
- C. The dumping of any waste tank, gray water tank, or direct discharge of any waste directly to the land is strictly prohibited. All discharge of wastes shall only be performed at an authorized dump station.
- D. The property owner of the agricultural farming operation shall obtain a Temporary Use Permit (TUP) from the Community Development Agency for the parking of recreational vehicles for agricultural employees.



E. All temporary recreational vehicles shall comply with state and county laws and regulations as applicable pertaining to their construction, maintenance and use.

Sec. 1112. Alternative Energy Systems: As permitted in the applicable zoning district, solar and wind energy systems are encouraged as alternate energy systems in the county subject to the following standards:

A. Non-commercial Solar Electric Generation Systems:

1. Non-commercial, personal use solar electrical generation equipment shall have a design capacity to serve the electrical needs of only that site or use.
2. Personal use solar electrical generation equipment may be roof mounted or ground mounted subject to the setback, coverage, and height standards of the zoning district in which the parcel is located.
3. In Agricultural zoning districts, solar-panels providing electricity for private use may be located within any portion of the site.
4. In Residential zoning districts, roof-mounted and wall-mounted collectors should be placed in the location least visible from public streets and, where feasible, be integrated into the design of the structure as an architectural element. Roof-mounted panels may be located on the front roof for homes facing predominantly south, and on the south-facing roof side for homes on corner lots facing east or west.
5. In Commercial and Industrial zoning districts, roof-mounted and wall-mounted collectors shall be placed in the location least visible from public streets and, where feasible, be integrated into the design of the structure as an architectural element.
6. Freestanding solar panels located on the ground or attached to a framework or pole located on the ground shall be classified as equipment, not as a structure.
7. **Protection of Solar Access:** The Solar Shade Act (AB 2321, 1978) provides limited protection to solar energy system owners from shading caused by trees and shrubs on adjacent properties. In a residential zoning district, a structure, fence, or wall shall not be constructed or modified, and vegetation and trees may not be placed or allowed to grow, so as to cast a shadow over more than ten percent of a solar collector on a neighboring property at any one time during the hours of 10:00 a.m. and 2:00 p.m. Solar energy systems applicable to this Section are those located within a rear yard or that are roof mounted.

B. Commercial Solar Electric Generating Systems:

1. **In Commercial, Mixed-Use, and Industrial Zoning Districts:**
 - a. Photovoltaic panel systems shall meet all applicable performance standards regarding safety and reliability established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and the Public Utilities Commission.
 - b. Commercial solar electrical generation equipment may be roof mounted or ground mounted subject to the setback, coverage, and height standards of the zoning district in which the parcel is located.
 - c. **Protection of Solar Access:** In a commercial or industrial zoning district, a solid fence or wall that is not required for security or public safety purposes should not be constructed or modified, and vegetation and trees should not be placed or allowed to grow, so as to obstruct the absorption area of an existing solar energy system on a neighboring parcel.
2. **In Agricultural Zoning Districts:** Solar photovoltaic electrical facilities for commercial sales and distribution of electrical power shall conform to the following standards:



- a. The proposed site shall be located in an area designated as either “Very Low Priority,” “Low Priority,” or “Low-Medium Priority” land according to Figure RC-13 Priority Agricultural Land (2035 Kings County General Plan, Resource Conservation Element, Page RC-20). “Medium Priority” land may be considered when comparable agricultural operations are integrated, the standard mitigation requirement is applied, or combination thereof.
- b. The proposed site shall be located within 1 mile of an existing 60 KV or higher utility electrical line. Small community commercial solar projects (less than or equal to 3 MW) may be located more than 1 mile from a 60 kV or higher transmission line subject to the following findings:
 - 1) The project site is located on low or very low priority farmland.
 - 2) The project site is not restricted by a Williamson Act or Farmland Security Zone contract.
 - 3) The project will connect to existing utility infrastructure without building new power lines.
 - 4) The project will not result in any additional easements on agricultural land, other than access easements or easements within the public Right-of-Way.
- c. Agricultural mitigation shall be proposed for every acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance converted for a commercial solar facility. The agricultural mitigation shall preserve at a ratio of 1:1 an equal amount of agricultural acreage of equal or greater quality in a manner acceptable to the County for the life of the project. Agricultural mitigation on land designated “Medium-High” or higher priority land shall preserve an equivalent amount of agricultural acreage at a ratio of 2:1.
- d. The project shall include a reclamation plan and financial assurance acceptable to the County that ensures the return of the land to a farmable state after completion of the project life, and retains surface water rights.
- e. The project shall include a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption.
- f. The project shall space internal access driveways per Kings County Fire Department standards.
- g. The project shall include a solid waste management plan for site maintenance and disposal of trash and debris.
- h. The project site shall not be located on *Williamson Act* or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1(a). Otherwise, the contract shall be proposed for cancellation or is eligible to be cancelled and shall convert to a solar easement.

(Ord. No. 668-1-16, §14, 1/12/16)

C. Non-commercial Small Wind Energy Systems:

1. Small wind energy systems shall be designed and appropriately sized to serve the needs of the use on the site and reduce onsite consumption of utility power. On parcels one acre or more in size systems shall have a rated capacity of not more than 50 kilowatts per customer site.
2. Wind energy systems are subject to the requirements of Sections 65893-65899 of the Government Code and Section 25744 of the Public Resources Code.
3. Maximum tower and system height shall not exceed the maximum height established in the zoning district in which they are permitted. Any system application shall include evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. In no case shall the system height exceed any limits established by applicable Federal Aviation Administration requirements.

D. Commercial Wind Electrical Generating Facilities:



1. The project site shall not be located on *Williamson Act* or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1.(a). Otherwise the contract is proposed for cancellation.
2. Wind energy systems are subject to the requirements of Sections 65893-65899 of the Government Code and Section 25744 of the Public Resources Code.
3. Wind energy systems that commercially produce power for sale comply with all local, regional, state, and federal regulations.
4. Maximum tower and system height shall not exceed the maximum height established in the zoning district in which they are permitted. Any system application shall include evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. In no case shall the system height exceed any limits established by applicable Federal Aviation Administration requirements.

Sec. 1113. Surface Mining and Reclamation: Unless specifically exempted by the Surface Mining and Reclamation Act (SMARA), state regulations, or county ordinance any person who proposes to engage in surface mining operations shall, before the commencement of the operation, obtain county approval of a Conditional Use Permit, Reclamation Plan, and financial assurances for reclamation in compliance with Chapter 17 of the *Kings County Code of Ordinances*. An exemption from these approval requirements shall not automatically exempt a project or activity from the application of other County regulations, ordinances, or policies (e.g., the application of CEQA; the requirements of Conditional Use Permits or other permits; the payment of development impact fees; the imposition of other dedications and exactions as may be allowed under the law. Also see Section 115 of this Development Code.

Sec. 1114. Hazardous Waste Management Facility: Hazardous Waste Management Facilities if permitted in a zoning district shall obtain a conditional use permit and shall comply with the following standards before the commencement of the operation:

- A. All requirements of Article 8.7, "Procedures for the Approval of New Facilities" (commencing with Section 25199) of Chapter 6.5 of Division 20 of the *Health and Safety Code* as the requirements pertain to local land use decisions are carried out.
- B. The proposed facility shall be consistent with the "Siting Criteria for Hazardous Waste Management Facilities" in the *Kings County Hazardous Waste Management Plan*", as approved by the California Department of Health Services and adopted by the Kings County Board of Supervisors as parts of the Safety and Land Use Elements of the *2035 Kings County General Plan*.

Sec. 1115. Commercial Recycling Facilities: This Section provides locational and operational standards for the establishment of various types and sizes of commercial recycling facilities not including processing facilities. Recycling facilities shall comply with the following standards:

- A. **Reverse Vending Machines.** Reverse vending machines are self-contained devices that accept used beverage containers or other material and return money to the user. Reverse vending machines shall comply with the following standards:
 1. **Accessory Use Only.** The machines shall be installed only as an accessory use in compliance with the applicable provisions of this Development Code, and shall not require additional parking.
 2. **Location Requirements.** If located outside of a structure, the machines shall not occupy required parking spaces, and shall be constructed of durable waterproof and rustproof materials.
 3. **Maximum Size.** When located outdoors, the area occupied by the machines shall not exceed 50 square feet, including any protective enclosure, nor eight feet in height.



4. **Signs.** Signs shall not exceed a maximum area of four square feet for each machine, including operating instructions.
 5. **Hours of Operation.** The machines shall have operating hours which are consistent with the operating hours of the primary use.
 6. **Lighting.** The machines shall be illuminated when needed to ensure comfortable and safe operation.
- B. **Small Recycling Facilities.** Small collection facilities for recyclable materials and California Redemption Value (CRV) containers shall comply with the following standards.
1. **Location Requirements.** Small collection facilities shall:
 - a. Not be located within 50 feet of any parcel zoned or occupied for residential use; and
 - b. Be set back at least 10 feet from any public right-of-way, and not obstruct vehicular or pedestrian circulation.
 2. **Maximum Size.** A small collection facility shall not occupy more than 350 square feet nor three parking spaces, not including space that would be periodically needed for the removal of materials or exchange of containers.
 3. **Appearance of Facility.** Collection containers and site fencing shall be of a color and design that is compatible and harmonious with the surrounding uses and neighborhoods.
 4. **Operating Standards.** Small collection facilities shall:
 - a. Not use power-driven processing equipment, except for reverse vending machines;
 - b. Accept only glass, metal or plastic containers, CRV recyclables, paper, and reusable items; and
 - c. Use containers that are constructed with durable waterproof and rustproof material(s), secured from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule.
 5. **Daily cleaning and maintenance.** The site shall be swept and maintained in a dust-free, litter-free condition on a daily basis.
 6. **Signs.** Signs may be provided as follows:
 - a. Identification signs are allowed with a maximum area of 15 percent for each side of the structure or 12 square feet, whichever is greater. In the case of a wheeled facility, the side shall be measured from the ground to the top of the container;
 - b. Signs shall be both compatible and harmonious with the character of their location; and
 - c. Directional signs, consistent with Article 14 and without advertising message, may be approved by the Zoning Administrator if found necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
 7. **Parking Requirements.**
 - a. No additional parking space shall be required for customers of a small collection facility located in the established parking lot of the main use. One space shall be provided for the attendant, if needed.
 - b. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present; and



- c. Use of parking spaces by the patrons and the attendant shall not reduce available parking spaces below the minimum number required for the main use unless a parking study shows that existing capacity is not fully utilized during the time the recycling facility would be on the site.

C. Large Recycling Facilities. A large recycling facility is a collection facility for recyclable materials including the storage, sorting, collecting or baling of ferrous and non-ferrous metals, junk, paper, rags or scrap for further transfer to another facility for re-reprocessing or to a solid waste facility. Large recycling facilities may also be used for recycling of CRV containers for further transfer to another facility for re-reprocessing. Large recycling facilities shall comply with the following standards.

1. **Location and Size Requirements.** The facility shall either be a minimum of one acre in size, or on a separate parcel not accessory to a primary use. The facility shall also not abut a parcel zoned for residential use.
2. **Container Location.** Any containers provided for "after hours" donation of recyclable materials shall be permanently located at least 150 feet from any residential zoning district, constructed of sturdy, rustproof material(s), have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of materials; and
3. **Screening.** The facility shall be screened from public rights-of-way, by solid masonry walls or opaque fence at least six feet in height or located within an enclosed structure.
4. **Setbacks, Landscaping.** Structure setbacks and landscaping shall be provided as required for the applicable zoning district.
5. **Outdoor Storage.** Exterior storage of material shall be in sturdy containers that are covered, secured, and maintained in good condition, or may be baled or placed on pallets. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage shall be in containers approved by the County Fire Department. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the fencing, screening, or landscaping.
6. **Operating Standards.**
 - a. The site shall be maintained clean, sanitary, and free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis;
 - b. Dust, fumes, odor, smoke, or vibration, above ambient levels, shall not be detectable on adjoining parcels.
7. **Parking Requirements.**
 - a. Space shall be provided on site for six vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the Planning Commission determines that allowing overflow traffic above six vehicles is compatible with surrounding businesses and public safety.
 - b. One parking space shall be provided for each commercial vehicle operated by the recycling facility. Parking requirements for customers shall be as provided for in the land use zoning district in which the facility is located, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility.
8. **Power-driven processing.** Power-driven processing (e.g., aluminum foil and can compacting, baling, plastic shredding, light processing activities necessary for efficient temporary storage and shipment of material, etc.) may be approved at the discretion of the Planning Commission if noise consideration and other conditions are met.



Sec. 1116. Individual Agricultural Specialty Stores: In lieu of a Roadside Field Retail Stand in the agricultural zoning districts, and as an alternate means of promoting and selling their produce, producers may offer their own produce for sale, and may also sell value added products and merchandise which may include, but are not limited to fruit and nut baskets, specialty gifts and snacks that augment or compliment the produce.

- A. All items for sale must include produce which is grown by the producer as part of the value added item with the exception of bottled water, soft drinks, bottled or canned juices, and non-potentially hazardous, non-perishable, prepackaged food products which may be sold separately.
- B. Beer and wine may be included as value added items provided the appropriate ABC (Alcoholic Beverage Control) license is obtained.
- C. The Individual Agricultural Specialty store may be located in a permanent structure and may employ individuals who do not reside on the property.
- D. Off-street parking shall be provided as required by Article 13 of this Development Code.
- E. Other permits required by other agencies including a food vending permit shall be obtained from the appropriate agency.

Sec. 1117. Large Family Day Care Homes: Large family day care homes may be established in certain zoning districts through the Site Plan Review process as allowed in this Development Code to care for nine to 14 children in compliance with the following standards:

- A. **Residency.** The operator of a large Family Day Care Home shall be a full-time resident of the dwelling in which the facility is located.
- B. The operator shall obtain written consent of the property owner when the Large Family Day Care Home is operated on property that is leased or rented.
- C. For facilities providing child care for more than 12 children and up to 14 children, the following requirements apply:
 - 1. At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.
 - 2. No more than three infants are cared for during any time when more than 12 children are being cared for.
 - 3. The operator notifies a parent that the facility is caring for two additional school age children and that there may be up to 13 or 14 children in the home at one time.
- D. For safety reasons, any vehicle entrance gates to the site shall be setback at least twenty (20) feet from the property line to allow vehicles to pull completely off the road while the gate is being locked or unlocked.
- E. **Parking:** Parking shall be as required in Section 1302, Table 13-1 of the Development Code.
- F. **Hours of Operation:** Large Family Day Care Homes shall operate only between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday. No outdoor play is allowed prior to 9:00 a.m.
- G. **Play Area:** The play area shall not be located in any required front or side yard and the play area shall be fenced with either a wood or masonry fence designed to secure the outdoor play areas. Chain link metal fencing and barbed wire is prohibited.
- H. The operator shall be required to obtain any other licenses or permits required by any other federal, state, county, or city agency necessary to operate the facility prior to allowing children on the site.



Note: Not less than 10 days prior to the date on which the decision will be made on the SPR application for the Large Family Day Care Home, the Zoning Administrator shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll as owning real property within a 100 foot radius of the exterior boundaries of the proposed large family day care home.

Sec. 1118. Pawn Shops:

A. Purpose: The purpose of regulating pawn shop establishments through the Site Plan Review process is to ensure security and compatibility with surrounding uses and properties and to avoid any impacts associated with such uses. The following standards shall apply to pawn shop establishments:

1. **Location.** In permitted commercial zoning districts, such establishments shall be located:
 - a. No closer than 500 feet from any use involving the off-sale of alcoholic beverages
 - b. No closer than 500 feet from a residence.
 - c. No closer than 600 feet from churches, hospitals, child care center, non-profit youth facility, public park or playground, and schools.
 - d. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.
2. **Lighting:** The business shall have lighting to provide illumination for security and safety of parking and access areas. On-site lighting plans shall be submitted on the site plan for review and approval.
3. **Pay Telephones and Vending Machines.** External pay telephones and vending machines are prohibited.
4. **Window Tinting:** The business window shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the business shall remain at adequate levels to clearly see into the business from the exterior of the business.
5. **Operation:** The use shall be operated and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to surrounding properties and occupants. This shall encompass the upkeep and maintenance of exterior facades of the building, landscaping, designated parking areas serving the use, fences, and the perimeter of the site, including all public sidewalks, alleys, and streets.
6. The use shall be operated and maintained in accordance with all applicable local, state, or federal codes, laws, rules, regulations and statutes including the County’s General Plan, and all zoning or nuisance regulations of the County.