



City of Ione Municipal Code Title 17 - Zoning

Article IV Standards for Specific Land Uses

- Chapter 17.60 Home Occupations
- Chapter 17.62 Second Dwelling Units
- Chapter 17.64 Wireless Communication Facilities
- Chapter 17.66 Temporary Uses

Revisions:

The following revisions have been made to Article IV of Title 17:

Date of Adoption	Ordinance Number	Subject	Section	Page Number
10/20/09	430	Temporary uses	17.66	17.66-1 to 3

17.60 Home Occupations

Sections:

- 17.60.010 Purpose
- 17.60.020 Definitions
- 17.60.030 Home Occupations Allowed
- 17.60.040 Business License
- 17.60.050 Plan Check Required
- 17.60.060 Limitations of Use
- 17.60.070 Performance Standards
- 17.60.080 Conditions
- 17.60.090 Home Owners Association

17.60.010 Purpose

The purpose of this Chapter is to allow limited business activity to occur at residence where the business activity is clearly incidental to the primary residential use and will not change the residential character of the neighborhood. It is not the intent of this Chapter to override lawful "residential use only" restrictions set forth in the Conditions, Covenants, and Restrictions or similar provisions. (Ord 417, §1, 2008)

17.60.020 Definitions

Terms unique to this Chapter are listed in Chapter 17.80 (Glossary of Terms). (Ord 417, §1, 2008)

17.60.030 Home Occupations Allowed

Home occupations are allowed as part of any residential use, provided the requirements of this Chapter are met. (Ord 417, §1, 2008)

17.60.040 Business License

A business license from the City is required for any home occupation consistent with the requirements of this Municipal Code, Chapter 5.06 (Business License). (Ord 417, §1, 2008)

17.60.050 Plan Check Required

Plan Check is required as part of business license review conducted pursuant to Chapter 5.06 of the Municipal Code (Business License) and Section 17.10.020 (Plan Check) of this Title and shall be completed by the City Planner or his/her designee. (Ord 417, §1, 2008)

17.60.060 Limitations of Use

- A. **Examples of Types of Uses Allowed as Home Occupations.** The following list provides examples of types of uses allowed as home occupations. Other uses that are similar to those listed may be approved by the City Planner or his or her designee.
1. Office uses such as an office for a contractor, architect, attorney, consultant, counselor, engineer, insurance agent, planner, tutor, data and or word processing, electronic commerce.
 2. Private lessons such as academic instruction, music, athletics, swimming, arts and crafts.
 3. Tailoring, sewing, or alterations of clothing.
 4. Art and craft work such as ceramics, flower arranging, jewelry making, painting, sculpting, and photography.
 5. Small furniture repair and restoration.
 6. Other similar uses that demonstrate a low-profile operation with fewer than five customers visiting the business per day.
- B. **Examples of Prohibited Uses.** The following is a list of example prohibited uses that may not be conducted as home occupations. This is not an exhaustive list of prohibited uses. Other uses similar to those listed may also be prohibited based on similar function or operation.
1. Ambulance Service.
 2. Ammunition reloading, including custom reloading.
 3. Boarding house, bed and breakfast hotel, time share condominium.
 4. Beauty salon/barber shop, massage, physical therapy, personal training.
 5. Carpentry, cabinet makers.
 6. Ceramics (kiln of six cubic feet or more).
 7. Health salon, gyms, dance studios, aerobic studios.
 8. Medical, dental, chiropractic, clinic.
 9. Mortician, hearse service.
 10. Palm reading, fortune telling.
 11. Private clubs.
 12. Repair, or reconditioning, of automobiles, boats and recreation vehicles.
 13. Restaurants or taverns.
 14. Retail sale from site (except direct distribution and artist originals).
 15. Storage, repair or reconditioning of motorized vehicles or large equipment on site.
 16. Tattoo service.
 17. Tow truck services.
 18. Veterinary clinic (including boarding).
 19. Welding Service. (Ord 417, §1, 2008)

17.60.070 Performance Standards

It is the intent of the following standards to reduce the impact of the home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity. These standards shall be incorporated as conditions of the Business License for the home occupation. Failure to comply with these standards will result in revocation of the business license.

- A. **Number of Home Occupations.** One home occupation is allowed at a home where customers may visit the business. Otherwise, there is no limit on the number of home occupations.
- B. **Employees.** A home occupation shall have no on-site employees other than the full time residents of the dwelling. Other employees may be employed by the business but they may not report to the home. No more than two full-time residents may be employed at the home occupation.
- C. **Habitable Floor Area.** The use of the residential dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes.
- D. **Off-Site Effects.** There shall be no mechanical equipment used or operations which create or make dust, odor, vibration, or other effects detectable at the property line of the property in which the home occupation is located.
- E. **On-Site Sales.** There shall be no products sold on the premises except artist's originals or products individually made to order on the premises, or as part of electronic commerce.
- F. Products which are not "artist's originals" or "individually made to order" may be constructed on-site, using equipment normally found in a residence; however, these products may only be sold at a permitted commercial location.
- G. **Display.** There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.
- H. **Traffic/Vehicles.** The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor in any case require the parking of more than one additional vehicle per hour.
- I. **Storage.** There shall be no storage of material, products, or supplies out-of-doors.
- J. **Exterior Appearance.** There shall be no remodeling or construction of facilities for the home occupation which changes the external appearance of the residence from a residential to a more commercial appearing structure when viewed from the front of the building. Conversion of a portion of the interior of the structure (e.g., a garage) that does not result in a loss of off-street parking or alter the exterior appearance of the structure may be allowed through issuance of a Building Permit.
- K. **Signs.** No signs for the home occupation are permitted.
- L. **Visitors and Customers.** Visitors and customers shall not exceed those normally and reasonably occurring for a residence, including not more than one business visitor per hour and no more than one at any given time.
- M. **Hazardous Materials.** Storage of hazardous materials may only be stored in amounts below the thresholds as established by the local Fire Department.

- N. **Hours of Operation.** The hours of operation during which customers may visit the occupation shall be between the hours of 7:00 AM and 7:00 PM. (Ord 417, §1, 2008)

17.60.080 Conditions

The City Planner or his or her designee may establish reasonable conditions on the operation of any Home Occupation if necessary to meet the intent of this Chapter. These conditions shall be attached to or incorporated in the Business License for the Home Occupation. (Ord 417, §1, 2008)

17.60.090 Home Owners Association

As part of the Business License Permit application form, applicants for a Business License for a home occupation shall indicate if they have consulted any relevant home owners association and/or covenants, conditions, and restrictions (CC&Rs) for the business location. The intent of this portion of the application process is to remind home occupation operators that special private regulations for their development may be in effect. Although the City may issue a business license for a home occupation regardless of conflicting CC&Rs for that residence, such home occupation may not be permitted by a home owners association and may subject holder of that business license to fines, penalties, judicial action, or other enforcement proceedings from the home owners association. (Ord 417, §1, 2008)

17.62 Second Dwelling Units

Sections:

- 17.62.010 Purpose
- 17.62.020 Definitions
- 17.62.030 Allowed Use Provisions
- 17.62.040 Development Standards

17.62.010 Purpose

The purpose of this Chapter is to regulate second dwelling units within residential districts consistent with State law. Implementation of this Chapter is intended to expand housing opportunities for low-income and moderate-income households by increasing the number of rental units available within existing neighborhoods while maintaining the single-family residential character of the area.

17.62.020 Definitions

Terms unique to this Chapter are listed in Chapter 17.80 (Glossary of Terms). (Ord. 423, §2, 2009)

17.62.030 Allowed Use Provisions

A secondary dwelling unit shall be permitted in conjunction with an existing primary dwelling unit in all one-family and multiple-family residential zones, subject to the development standards outlined in the Section 17.62.040 (Development Standards).

17.62.040 Development Standards

The following regulations shall pertain to all secondary dwelling units constructed, enlarged, or otherwise modified:

- A. Only one secondary dwelling unit shall be allowed on any lot along with an existing primary dwelling unit.
- B. A secondary dwelling unit shall only be allowed on lots that are at least 6,500 square feet.
- C. At least one additional off-street parking space shall be provided to the secondary dwelling unit, constructed with an impervious surface (i.e., concrete, asphalt, or similar material). Parking requirements for secondary dwelling units shall not exceed one parking space per bedroom.
- D. A driveway providing access to the secondary dwelling unit shall adhere to those provisions of subsection 17.40.080.C (Driveway Size and Composition). If the second dwelling unit is attached to the primary residence, the second dwelling unit shall adhere to all the underlying residential zone setbacks associated with the primary residence.
- E. If the second dwelling unit is detached from the primary residence, the second dwelling unit shall adhere to a minimum side and rear yard setback of five feet; and in the case of a corner lot, the second dwelling unit shall adhere to a minimum side yard setback of 12 feet.

- F. The height of the second dwelling unit shall not exceed 15 feet or one story, unless the second dwelling unit is to be constructed above an accessory structure or the primary residence, then the combined height of the two structures shall not exceed the height requirements of the underlying residential zone.
- G. All new secondary dwelling units in all zones shall be served by public sewer. A separate sewer connection fee shall be required for the second dwelling, but the primary and second dwelling may share a sewer lateral so long as both structures are located upon a single parcel of land.
- H. The secondary dwelling unit shall be located on the same parcel as the primary dwelling unit. The second dwelling unit may not be sold as a separate unit but may be rented.
- I. A detached second dwelling unit shall not exceed 1,200 square feet in total livable floor area. For an attached secondary dwelling unit, the livable floor area shall not exceed 50 percent of the existing living area of the primary dwelling unit.

17.64 Wireless Communication Facilities

Sections:

- 17.64.010 Purpose and Applicability
- 17.64.020 Definitions
- 17.64.030 Permit Requirements
- 17.64.040 Application Requirements
- 17.64.050 Exemptions
- 17.64.060 Development Standards
- 17.64.070 Operation and Maintenance Standards
- 17.64.080 Removal Provisions

17.64.010 Purpose and Applicability

Wireless communication facilities shall be subject to the following regulations in this Chapter to the extent that such requirements (1) do not unreasonably discriminate among providers of functionally equivalent services, or (2) do not have the effect of prohibiting personal wireless services, as defined by Telecommunications Act of 1996. This Chapter establishes standards for placement of telecommunications facilities within the City and regulates the installation of antennas and other wireless communication facilities consistent with federal law. This Chapter also promotes and protects the public safety and public welfare of residents as well as containing regulations to minimize potential impacts of the installation of wireless communication facilities. (Ord. 423, §2, 2009)

17.64.020 Definitions

Terms unique to this Chapter are provided in Chapter 17.80 (Glossary of Terms). (Ord. 423, §2, 2009)

17.64.030 Permit Requirements

A Conditional Use Permit is required for the following wireless communication facilities:

- A. Any new telecommunication tower that is not part of a co-location.
- B. Any co-location that increases overall height of an existing tower in order to add antennas.
- C. Any building-mounted or roof-mounted antennas that are not screened from public view. (Ord. 423, §2, 2009)

17.64.040 Application Requirements

An application for the approval of a wireless communication facility shall include the following information, in addition to all other information required by the City for a Conditional Use Permit application as established in Section 17.10.080 (Conditional Use Permit):

- A. Visual simulations showing what the proposed facility will look like from the surrounding area as viewed from residential properties and public rights-of-way at varying distances, to assist the Approving Authority and the public in assessing the

- visual impacts of the proposed facility and its compliance with the provisions of this Chapter.
- B. A map or description of the service area of the proposed wireless communication facility and an explanation of the need for the facility.
 - C. A map showing the locations and service areas of other wireless communication facility sites operated by the applicant and those that are proposed by the applicant that are close enough to affect service within the City. A written explanation of why adjacent existing wireless communication facilities could not be used for collocation shall be required.
 - D. Description of proposed approach for screening all wireless communication facilities from public view including plans for installation and maintenance of landscaping, sample exterior materials and colors. Where applicable, a plan showing existing surrounding landscaping, proposed landscaping, a landscape protection plan for construction, and a maintenance plan including an irrigation plan.
 - E. Narrative description and map showing the coverage area and location of the provider's existing wireless communication facilities and the proposed coverage area of the specific site that is the subject of the application.
 - F. Technical information explaining the reasons that a permit is being sought (e.g., whether a new antenna is necessary to accommodate increased demand or to fill a "dead zone" in the provider's coverage area); the reasons that the subject site is considered necessary to accomplish the provider's coverage objectives; and the reasons that the proposed site is the most appropriate location under existing circumstances. (Ord. 423, §2, 2009)

17.64.050 Exemptions

The following wireless communication facilities are exempt from the requirements of this Chapter as specified below, except that wireless communication facilities are subject to compliance with other provisions of this Title.

- A. A wireless communication facility shall be exempt from the provisions of this Chapter if and to the extent that a permit issued by the California Public Utilities Commission (CPUC) or the rules and regulations of the Federal Communication Commission (FCC) specifically provide that the antenna is exempt from local regulation. Such facilities include, but are not limited to, television antennas on residential buildings.
- B. Satellite earth station (SES) antennas, which are two meters (6.5616 feet) or less in diameter or in diagonal measurement, located in any non-residential zoning district. To avoid the creation of an attractive nuisance and to reduce accidental tripping hazards and maximize stability of the SES antenna, such antennas shall be placed whenever possible on top of buildings and as far away as possible from the edges of rooftops.
- C. Parabolic antennas, direct broadcast satellite (DBS) antennas, which are one meter (3.2808 feet) or less in diameter or diagonal measurement and television broadcast service (TVBS) antennas, so long as said antennas are located entirely on private property and are not located within the required front yard setback area.
- D. Amateur radio antenna structures provide a valuable and essential telecommunication service during periods of natural disasters and other emergency

conditions and are therefore exempt from permit provisions of this Chapter in compliance with the following standards.

1. Height limits. Amateur radio antennas in any district may extend to a maximum height of 75 feet, provided that the tower is equipped with a lowering device (motorized and/or mechanical) capable of lowering the antenna to the maximum permitted height when not in operation.
 2. Location parameters. All antenna structures shall be located outside of required front and street side yard areas. Antenna structures shall also be set back a minimum distance of five feet from interior property lines.
 3. Tower safety. All antenna shall be located within an enclosed fenced area or have a minimum five-foot high tower shield at the tower base to prevent climbing. All active elements of antennas shall have a minimum vertical clearance of eight feet.
- E. Co-location on an existing telecommunications structure. This co-location is allowed if the structure obtained a Conditional Use Permit after January 1, 2007, and was subject to environmental review and a public hearing.
- F. Antennas placed on a building or roof top that are completely screened from view. (Ord. 423, §2, 2009)

17.64.060 Development Standards

- A. **General Development Standards.** Unless otherwise exempt pursuant to Section 17.64.050 (Exemptions), the following general development standards shall apply to all wireless communication facilities:
1. All wireless communication facilities shall comply with all applicable requirements of the current Uniform Codes as adopted by the City and shall be consistent with the General Plan and this Code, as well as other standards and guidelines adopted by the City, and all applicable State and federal law.
 2. Wireless communication facilities shall be co-located with existing facilities, with other planned new facilities, and with other facilities such as water tanks, light standards, and other utility structures whenever feasible and aesthetically desirable. To facilitate co-location when deemed appropriate, conditions of approval for Conditional Use Permits shall require all service providers to cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site when found to be feasible and aesthetically desirable. The applicant shall agree to allow future co-location of additional antennas and shall not enter into an exclusive lease for the use of the site.
 3. At least ten feet of horizontal clearance shall be maintained between any part of the antenna and any power lines unless the antenna is installed to be an integral part of a utility tower or facility.
- B. **Development Standards for Antennas (excluding amateur radio antennas).** Unless otherwise exempt pursuant to Section 17.64.050 (Exemptions), the following development standards shall apply to receive-only antennas (ground- and building-mounted), parabolic antennas, and satellite earth stations as defined in this Section.

1. **Antenna Location.** Parabolic antenna and SES shall be ground-mounted in Residential Zoning Districts. In all non-residential Zoning Districts, building-mounted antenna are preferred. No antenna shall be located in the required front or street side yard of any parcel unless entirely screened from pedestrian view on the abutting street rights-of-way (excluding alleys). In all Zoning Districts, ground-mounted antennas shall be situated as close to the ground as feasible to reduce visual impact without compromising their function and all portions of the antenna shall be set back a minimum of five feet from any property line.
 2. **Height Limit.** The height limit for ground-mounted antenna is six feet. However, the height may be increased to a maximum of 12 feet if the setback distance from all property lines is at least equal to the height of the antenna and if the structure is screened in accordance with subsection 17.64.060.B.3. (Screening) below. Building-mounted antenna shall not extend above the roofline, parapet wall, or other roof screen or project beyond a maximum of 18 inches from the face of the building or other support structure.
 3. **Screening.** Ground-mounted antennas shall be screened with a fence, wall, or dense landscaping so that the antenna is not visible from the public right-of-way. Building-mounted antenna shall be screened as follows:
 - a. Wall-mounted antennas and ancillary equipment shall be flush-mounted and painted or finished to match the building with concealed cables.
 - b. Roof-mounted antennas and ancillary equipment shall be screened from view of public right-of-ways by locating the antenna below the roofline, parapet wall, or other roof screen and by locating the antenna as far away as physically feasible and aesthetically desirable from the edge of the building.
 - c. **Color.** Antennas shall have subdued colors and be comprised of non-reflective materials which blend with the materials and colors of the surrounding area or building.
- C. **Development Standards for Amateur Radio Antennas.** Amateur radio antennas may exceed the height limit and/or the setback provisions only when such provisions will result in unreasonable limitations on, or prevent, reception or transmission of signals from the amateur radio antennas.
- D. **Development Standards for Tower.** The following development standards shall apply to towers (including co-location facilities).
1. **Site Design.** All wireless communication facilities (including related equipment) shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening, camouflage, to be compatible with existing architectural elements, landscape elements, and other characteristics of the site on which they are located. The applicant shall use the smallest and least visible antennas feasible to accomplish the owner/operator's coverage objective. A visual impact analysis is required to demonstrate how the proposed facility will appear from public rights-of-way (including public trails).
 2. **Safety Design.** All facilities shall be designed so as to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions which would result in hazardous conditions, visual blight, or attractive nuisances.

3. Location. Towers shall not be located in any required front or street side yard in any Zoning District. The setback distance from any abutting street right-of-way, residential property line, or public trail shall be equal to the height of the facility (tower and related equipment). Otherwise, the minimum setback distance from all other property lines shall be at least equal to 20 percent of the height of the tower. In order to facilitate co-locations, setbacks distance will be waived for placement of antennas on existing towers when there is no increase in the overall height of the tower.
4. Height Limit. The height limit for towers shall be consistent with the maximum building height of the Zoning District of the subject parcel. Exceptions to the height limit may be granted when the designated Approving Authority finds that reasonable alternatives do not exist to provide the necessary service. There is no height limit specified for co-locations on existing structures, provided wireless communication facilities are screened from view of abutting street rights-of-way or camouflaged by matching the color(s) and/or material(s) of the structure to which it is attached.
5. Lighting. Towers and related equipment shall be unlit except as provided below:
 - a. A manually-operated or motion-detector controlled light above the equipment shed door may be provided. Such light shall remain off except when personnel are present on site at night;
 - b. The minimum tower lighting required under Federal Aviation Administration regulation; and
 - c. Where tower lighting is required, such lighting shall be shielded or directed downward to the greatest extent possible to ensure that such light does not spill over onto abutting properties, especially residential zoning districts or uses.
6. Landscaping. Where appropriate, wireless communication facilities shall be installed in a manner that maintains and enhances existing landscaping on the site, including trees, foliage, and shrubs, whether or not utilized for screening. Additional landscaping shall be planted around the tower and related equipment to buffer abutting residential zoning districts or uses, and to buffer public trails in accordance with the following standard:
 - a. Perimeter of leased area of the wireless communication facility. Landscaping around the perimeter of the facility (e.g., leased area) shall include dense tree and shrub plantings with necessary irrigation. Wireless communication facilities shall be developed with an immediate landscape screen. Trees shall be fast-growing evergreen species, a minimum of 24-inch box in size. Shrubs shall be a minimum of 15-gallon size covering a minimum planter area depth of five feet around the facility. Trees and shrubs shall be planted no further apart on center than the mature diameter of the proposed species.
7. Design/finish. New towers shall be camouflaged whenever possible. If not feasible to camouflage, then the tower and related equipment shall have subdued colors and non-reflective materials that blend with the colors and materials of surrounding areas.
8. Advertising. The tower and related equipment shall not bear any signs or advertising devices other than certification, warning or other required seals or signs. (Ord. 423, §2, 2009)

17.64.070 Operation and Maintenance Standards

- A. **Noise.** All wireless communication facilities shall comply with the City's Noise Ordinance.
- B. **Non-ionizing Electromagnetic Radiation (NIER) Exposure.** No wireless communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such wireless communication facilities, a potential threat to public health. To this end, no wireless communication facility or combination thereof facilities shall produce, at any time, power densities in any inhabited area that exceed the Federal Communication Commission's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard adopted or promulgated by the City or by the County, State, or federal government. (Ord. 423, §2, 2009)

17.64.080 Removal Provisions

In the event that one or more wireless communication facility or any component thereof, including, but not limited to, antennas, towers, or related equipment, are not operated for the provision of wireless telecommunication services for a continuous period of three months or more, such wireless communication facility or component thereof shall be deemed abandoned. The owner, operator, or other person or entity responsible for the wireless communication facility or component thereof shall remove such items within 30 days following the mailing of written notice from the City that removal is required. If two or more providers of wireless telecommunication services use the wireless communication facility or any component thereof, the period of non-use under this Section shall be measured from the cessation of operation at the location by all such providers. Failure to remove shall constitute a public nuisance and shall be enforced as such. (Ord. 423, §2, 2009)

17.66 Temporary Uses

Sections:

- 17.66.010 Purpose
- 17.66.020 Permit Required
- 17.66.030 Temporary Use Regulations
- 17.66.040 Similar Uses

17.66.010 Purpose

The purpose of this Chapter is to establish regulations for uses of private property that are temporary in nature. These provisions place restrictions on the duration of the temporary use, its location, and other development standards. The intent of these regulations is to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or impact the general health, safety, and welfare of persons residing within the community. (Ord. 423, §2, 2009)

17.66.020 Permit Required

- A. Except as otherwise provided in this Zoning Code, the temporary uses listed in this Chapter shall require the issuance of a Temporary Use Permit from the designated Approving Authority prior to establishment of the use. The process for accepting, reviewing, and approving or denying a Temporary Use Permit shall be as described in Section 17.10.040 (Temporary Use Permit). Additionally, the designated Approving Authority may impose conditions on the approval of a temporary use consistent with the standards of Section 17.10.040 (Temporary Use Permit).
- B. Applicants seeking a Temporary Use Permit for a time period longer than otherwise allowed by this Chapter may submit for a Conditional Use Permit for said activity, provided that it complies with all other relevant development and operational standards (other than time duration) for the use as provided in this Chapter. Approval of the Conditional Use Permit shall be in accordance with the standards of Section 17.10.080 (Conditional Use Permits). (Ord. 423, §2, 2009)

17.66.030 Temporary Use Regulations

- A. **Exempt Temporary Uses.** The following temporary uses are exempt from the permit requirements of this Chapter, provided that they comply with the development standards listed herein.
 - 1. Temporary car washes for fundraisers are permitted on any private property in the City, provided the car wash does not cause traffic congestion, disrupt traffic, or pose any threat to public health or safety. (Ord. 430, §2, 2009)
 - 2. Garage sales are permitted on any parcel where the garage sale operator resides. Garage sales may not exceed three sales per calendar year and two consecutive days for each garage sale.
 - 3. Fireworks stands are permitted on property in the Commercial and Industrial Zoning Districts, provided that the necessary permit(s) are obtained from the Fire Department and/or other regulatory agencies and a valid Business License has

been issued, consistent with the requirements of the lone Municipal Code. (Ord. 430, §2, 2009)

- B. **Regulated Temporary Uses.** The following temporary uses may only be established after first obtaining a valid Temporary Use Permit as described in Section 17.66.020 (Permit Required).
1. Construction yards and storage sheds, which are to be used for a period of more than three months, for the storage of materials and equipment used as part of a construction project provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity. Such activity shall be visually screened from the public right-of-way through fencing or other visual screening. The applicant shall provide and implement a security plan to the satisfaction of the City Police Chief. The site shall be kept reasonably free of clutter and shall not constitute a public nuisance.
 2. Expositions, concerts, carnivals, clinics, amusement rides, and flea markets may be conducted for a period not to exceed ten days within a calendar year (either consecutive or intermittent). The use must be located in a district other than Agricultural or Residential or shall be under the direction/supervision of a public agency or an organization, church, or school use in any district which qualifies for an exemption pursuant to the Business License ordinance (Section 5.06.080, Exemptions, of the City's Municipal Code). Temporary uses of a similar nature when located within an entirely enclosed building are exempt from the permit requirement.
 3. Farmers' market may be permitted in the C-1, C-2, and C-3 Zoning Districts, provided such markets qualify as Certified Farmers' Market and all producers/vendors qualify as Certified Producers as defined by the California Department of Food and Agriculture. The market must be located within the buildable portion of the lot on which it is to be located. The Temporary Use Permit may impose conditions limiting the length of the permit, days and hours of operation, and other factors as deemed appropriate in a non-residential Zoning District.
 4. Outdoor sales and display of goods, including promotional sales, may be conducted as part of an otherwise lawfully permitted or allowed permanent commercial use, provided that all activities are conducted within the buildable portion of the lot. For new business with a valid business license, such outdoor sales and displays of goods shall be limited to a maximum 30 day period within the first 180 days after that business is established. Existing businesses shall be limited to one period not exceeding ten days within a given year. Sales and displays may not occupy more than ten percent of the parking area for that business and shall not substantially alter the existing circulation pattern of the site. Temporary sales and displays shall not obstruct any existing disabled accessible parking space.
 5. Seasonal sales (e.g., Christmas tree sales, pumpkin sales, etc.) may be permitted in any non-residential Zoning District upon issuance of a Temporary Use Permit. The term of the Temporary Use Permit shall not exceed 45 days per calendar year.
 6. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued for the primary dwelling. Use of the temporary dwelling shall be limited to a maximum of one year.

7. Temporary sales and construction offices used for the sale of lots and/or homes as part of a new residential subdivision may be permitted. Parking shall be provided as required by Chapter 17.40 (Parking). In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects of operation may be imposed as part of the Temporary Use Permit as deemed necessary. (Ord. 423, §2, 2009)

17.66.040 Similar Uses

When a temporary use is not specifically listed in this Chapter, the City Planner shall determine whether the proposed temporary use is similar in nature to permitted uses(s) in Article 3, and, if approved, shall establish the term and make necessary findings and conditions for the particular proposed temporary use, consistent with the provisions for Interpretation in Chapter 17.12 (Interpretation). (Ord. 423, §2, 2009)