

CHAPTER 64



Special Uses

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17.64.01 Purpose

The purpose of this chapter is to provide procedures, development standards and location criteria for special uses within the City of Woodlake. Special uses may include but are not limited to card rooms and pool halls, group care homes, modular buildings and adult businesses. The location criteria and development standards for special uses is intended to ensure that these uses do not have an adverse impact on the public health, safety or welfare.

17.64.02 Accessory Structures (see also Exhibit 64-1)

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; and additional guest housing; among other benefits. As subordinate facilities to a principal structure, however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

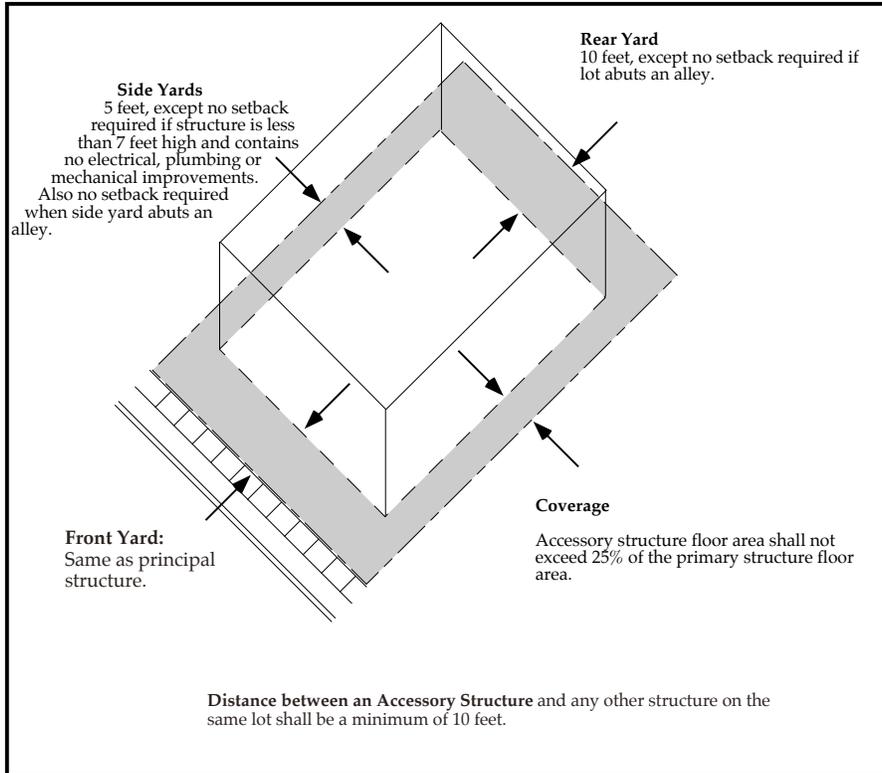
It is the purpose of this section to recognize accessory structures as desirable and beneficial accessory uses, and to provide for such uses under certain circumstances so long as land use compatibility is maintained, privacy of neighbors is protected, minimum open space and area requirements are maintained, and public health, safety, and welfare is preserved.

For purposes of this chapter, garages and carports shall not be considered to be accessory structures. Accessory Structures shall conform to all of the following requirements.

- A. Accessory structure review shall be performed by the Planning Department.
- B. All accessory structures shall comply with the requirements of the Uniform Building Code as adopted by the City of Woodlake.
- C. An accessory structure in any district may only be constructed on a lot containing a principal structure.
- D. Accessory structures, and any accessory uses (including surfaced area for parking) may not exceed 30 percent of the square footage of the required rear yard.
- E. The maximum height for an accessory structure is 15 feet.
- F. Minimum setbacks for an accessory structure shall be:
 - 1. Front yard - same as principal structure
 - 2. Rear yard - 10 feet (0 feet if rear yard adjoins an alley)
 - 3. Interior side - 5 feet (0 feet if interior side yard adjoins an alley). If the accessory structure is less than seven feet in height and contains no electrical, plumbing or mechanical improvements, the side yard setback may be reduced to 0 feet.
 - 4. Street side - same as principal structure

- G. The size of a non-habitable accessory structure shall not exceed 25 percent of the gross square footage of the primary structure (including any attached facilities such as a garage).
- H. An applicant may apply for a Minor Deviation Permit to reduce the required 10-foot rear setback for accessory structures to a minimum of 5 feet for lots not adjoining an alley.
- I. An applicant may apply for a Minor Deviation Permit to exceed the limitations established herein on structure height and/or size.
- J. Accessory structures shall individually be located a minimum of 10 feet from them principal structure and any other accessory structure.
- K. Except for guesthouses and second dwelling units, accessory structures shall not be used for dwelling purposes.
- L. A non-habitable accessory structure (small shed) less than or equal to 120 square feet in size and intended for storage purposes only may be located within the required rear yard or interior side yard but not in the front yard. The maximum shed height shall be 7 feet.
- M. Shipping containers shall not be permitted in any single family or duplex residential district within the City of Woodlake.
- N. Portable carports shall not be permitted in the front or street-side, side yards.

Exhibit 64-1: Selected Accessory Structure Standards



17.64.03 Temporary Sales of Alcoholic Beverages

The temporary sales of alcoholic beverages shall not be subject to a conditional use permit, but shall be subject to review and approval by the Planning Director and Police Chief in accordance with the temporary conditional use permit procedures detailed in Section 17.46.14.

17.64.04 Modular Structures

The purpose of this section is to control the approval and location of all modular structures within the City of Woodlake and to ensure that the uses of said structures, which shall meet the use requirements of the district in which the property is located, will not have a detrimental effect on the appearance of Woodlake nor on surrounding properties. Regulation of modular structures is therefore deemed necessary to promote the public health, safety and welfare of residents of the City of Woodlake.

A modular structure shall mean any designed, manufactured, remanufactured, used, or converted to a transportable building for use for commercial, office or industrial purposes.

- A. A permanent modular structure shall be approved by the Planning Director and shall comply with the following development standards.
 - 1. A permanent modular structure shall be place on a permanent foundation.
 - 2. A permanent modular structure shall be of an architectural style that is consistent with buildings in the surrounding neighborhood. The modular structure shall require skirting around the base of the structure.
 - 3. Permanent parking spaces and unloading zones shall be required consistent with Chapter 17.76 Parking and Loading.
 - 4. Landscaping and irrigation shall be required consistent with Chapter 17.72 Landscaping.
 - 5. The business or use conducted within the structure shall secure a business license from the City of Woodlake prior to being open to the public.

- B. A temporary modular structure shall be approved by the Planning Director and shall comply with the following development standards.
 - 1. A temporary modular structure shall be removed from the subject property within 30 days.
 - 2. A temporary modular structure shall require skirting around the base of the structure.
 - 3. The business or use conducted within the structure shall secure a business license from the City of Woodlake prior to being open to the public.

17.64.05 Garage Conversions

The conversion of a garage to a living area will require a building permit as well as the approval of the Planning Director. As a condition of approval, the conversion of a garage to a living area will require the property owner to construct on the same property a two-car garage or two-car carport consistent with all applicable district regulations.

17.64.06 Garage, Rummage and Yard Sales

Garage, rummage or yard sales conducted in residential districts shall comply with the following requirements:

- A. No more than three sales may be conducted in any one calendar year.
- B. Each sale shall last no more than two consecutive days beginning each day no earlier than 7:00 A.M. and ending no later than 7:00 P.M.
- C. Personal property sold at a sale shall not include second hand goods obtained for purposes of resale.

17.64.07 Home Occupations

Persons wishing to conduct a home occupation, which is clearly incidental and secondary to the use of a building as a residential dwelling, shall apply for a business license/home occupation permit through the Planning Director. Home occupations shall comply with the following regulations.

- A. There shall be no stock-in-trade other than products manufactured on the premises. Direct sales shall not be made on the premises.
- B. A home occupation shall be conducted within the residential dwelling by the resident and shall be clearly incidental to the use of the structure as a dwelling.
- C. A home occupation shall not be conducted in an accessory structure and there shall be no storage of equipment or supplies in an accessory structure or in the yard area.
- D. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses.
- E. No signs shall be permitted on the premises advertising the existence of a home occupation in the residence.
- F. No one other than the resident(s) of the residence shall be employed in the conduct of the home occupation.
- G. A home occupation shall not create any light, vibrations or noise beyond the boundaries of the subject property.
- H. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount generated by a residential dwelling.

- I. The applicant for a home occupation permits may appeal the decision of the Planning Director consistent with Chapter 17.06 Appeals.

17.64.08 Community Care Facilities

A "community care facility" means any facility, place, or building that is maintained and operated to provide non medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. A community care facility shall be permitted in any single-family residential district so long as there are six or fewer persons, excluding supervisorial services, and that there is not a similar facilities within one-quarter mile of the care facility. A community care facility shall include the following:

- A. "Residential facility" means any family home, group care facility, or similar facility determined by the director, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.
- B. "Adult day program" means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.
- C. "Therapeutic day services facility" means any facility that provides non medical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care.
- D. "Foster family home," means any residential facility providing 24-hour cares for six or fewer foster children that are owned, leased, or rented and are the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.
- E. "Small family home" means any residential facility, in the licensee's family residence, that provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.
- F. "Social rehabilitation facility" means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults

recovering from mental illness who temporarily need assistance, guidance, or counseling.

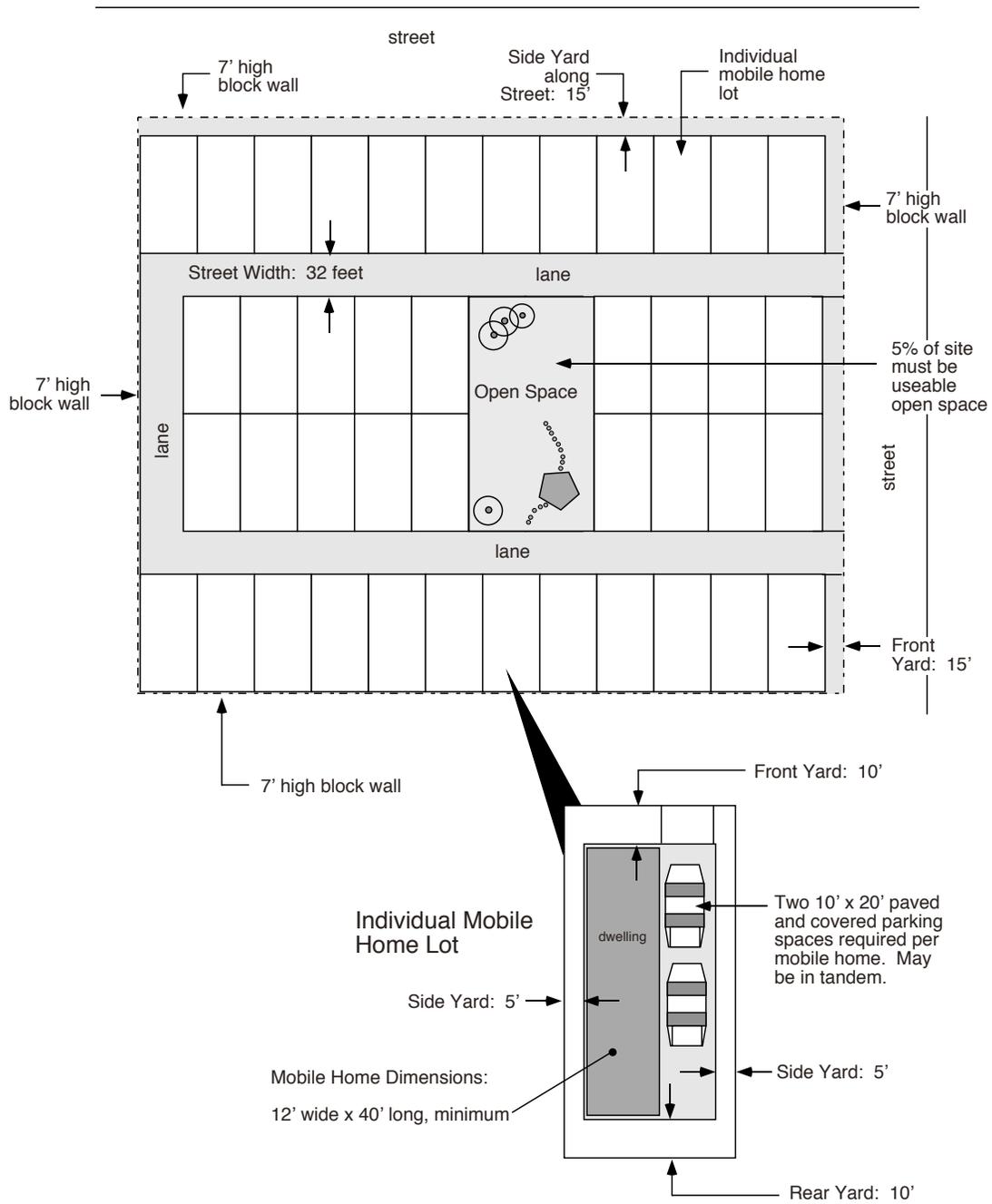
17.64.09 Mobile home Parks (see also Exhibit 64-2)

The purpose of this section is to establish procedures and development standards for mobile home parks in Woodlake. Woodlake's housing element acknowledges that these parks serve as a valuable source of housing for the elderly and households in the low- to moderate-income categories.

- A. Mobile home parks, new and expansion of existing shall require a conditional use permit consistent with Chapter 17.52 Conditional Use Permits.
- B. The residential density of a mobile home park shall not exceed the land use designation of the Woodlake General Plan.
- C. The minimum parcel size for a mobile home park shall be five acres.
- D. The conditions and development standards for a new or an expansion of an existing mobile home park shall be as follows:
 - 1. Each mobile home pad shall consist of a base material adequate to support a mobile home.
 - 2. No more than 75 percent of an individual lot shall be covered with structures, including the mobile home, carport, and patio and storage buildings.
 - 3. All tongues and tow bars shall be removed once a mobile home is fixed to the lot.
 - 4. All mobile homes shall be fitted with skirting, extending from the floor level of the mobile home to the ground.
 - 5. A mobile home shall have a minimum width of 12 feet and a minimum length of 40 feet.
 - 6. The front yard of each individual mobile home lot shall be landscaped.
 - 7. An on-site manager shall be required for all mobile home parks containing 16 or more mobile home units.
 - 8. Setbacks for the mobile home park shall be as follows:

- a. Front yard: 15 feet.
 - b. Side yard: 15 feet.
 - c. Rear yard: 15 feet.
9. Setbacks for a mobile home shall be as follows:
- a. Front yard: 10 feet.
 - b. Side yard: 5 feet.
 - c. Rear yard: 10 feet.
10. Accessory structures including, greenhouses, storage sheds, shall not be located within three feet of a side or rear yard.
11. Each mobile home site shall provide two off-street parking stalls. Said stalls may be designed as tandem stalls. Each stall shall have a minimum width of 10 feet and a minimum depth of 20 feet. All stalls shall be paved consistent with Woodlake's Improvements Manual.
12. A 7-foot solid block wall shall be constructed along all property lines.
13. A mobile home park shall have no fewer than two entrances for vehicles from a public street.
14. Five percent of the gross area of any mobile home park shall be devoted to useable open space.
15. Interior streets within the mobile home park shall have a minimum paved width of 32 feet. Said streets shall be constructed consistent with Woodlake's Improvements Manual.
16. All setback areas that front onto a public street shall be provided with landscaping and an automated irrigation system.

Exhibit 64-2: Selected Mobile Home Park Standards



17.64.10 Recycling/Buyback Centers

Recycling and buyback centers shall be permitted uses in all of Woodlake's commercial districts subject to the applicant securing a temporary use permit. The conditions and development standards for recycling/buyback centers shall be as follows:

- A. The location of these centers shall be conducted in a parking lot that is associated with a commercial use. The centers shall not be permitted to locate in the front of any commercial storefront but should be established on the side or rear of the commercial development.
- B. The recycling/buyback centers shall provide trash containers.
- C. At the conclusion of daily business, the area around the center shall be cleaned of all trash and debris, and the trash containers shall be emptied.

17.64.11 Second Residential Units

- A. The construction of second residential units within the City of Woodlake shall be consistent with Government Code Section 65852.2, which provides for cities to set standards for the development of second dwelling units with ministerial review in an effort to increase the supply of small, affordable residential units throughout the State.
- B. Any application for secondary dwelling unit that meets the location and development standards contained in this section shall be approved ministerially, through Woodlake's building permit process, without discretionary review or public hearing.
- C. One secondary dwelling unit may be located on any lot zoned for single-family dwellings.
- D. Applications for second dwelling units shall conform to the following submittal requirements.
 - 1. A scaled plot plan of the subject parcel on which the secondary dwelling unit will be located. Indicate the location and dimensioned setbacks, and dimensions of all existing and proposed structures on the site. Provide dimensions of all easements, right-of-way(s), building envelopes, parking, and paved areas.
 - 2. Complete floor plans of both existing and proposed conditions shall be provided. Each room shall be dimensioned and resulting floor area calculation included. The use of each room shall be labeled. The size and

location of all doors, closets, walls, and cooking facilities shall be clearly depicted.

3. Elevations that show all exterior structure dimensions, all architectural projections, and all openings for both the existing residence and the proposed secondary dwelling unit. The secondary dwelling unit shall meet the following design standards.
 - a. A second dwelling unit shall have a roof pitch and roof overhang equal to the roof pitch and roof overhang of the primary residence. The roof material shall be the same as the material on the primary residence unless the Planning Director finds that a different standard would be more compatible with the neighborhood.
 - b. A second dwelling unit shall have the same siding material as the primary residence unless the Planning Director finds that a different material would be more compatible with the neighborhood.
 - c. The maximum size of a secondary dwelling unit shall be 640 square feet.
 - d. No addition to the primary dwelling to accommodate a secondary dwelling unit may exceed 325 square feet.
 - e. A secondary dwelling unit shall be permitted only if it complies with all primary dwelling unit setbacks, based on the zoning district in which it is located. The minimum required distance between the secondary dwelling unit and the primary dwelling unit, and all other structures on the property, shall be in accordance with the Uniform Building Code.
 - f. A secondary dwelling unit shall be permitted only if it complies with all primary dwelling unit height restrictions, based on the zoning district in which it is located.
 - g. The property shall conform to the lot coverage requirements applicable to the primary dwelling unit, based on the zoning district in which it is located.
 - h. A secondary dwelling unit shall provide one off-street parking space for each bedroom of the secondary dwelling unit in addition to that required for the primary dwelling unit. This additional parking space may be covered or uncovered and shall meet all

parking space location, dimension, and surfacing requirements of the zoning district in which it is located.

- F. Secondary dwelling units may be rented or lived in by the owner of the unit.
- G. No separate unit shall be created for sale, lease or financing pursuant to the State Subdivision Map Act.
- H. A maximum of one secondary dwelling unit shall be permitted on any residentially zoned lot where at least one, but no more than one, single-family residence exists on the property. No secondary unit shall be permitted on a property containing multiple dwellings.
- I. Mobile homes are not permitted as secondary dwelling units.
- J. The secondary dwelling unit shall have a sidewalk that connects the public right-of-way with the front door of the second unit. The address and mailbox for the second dwelling unit shall be located near the public right-of-way.
- K. The owner(s) of the subject property on which the second dwelling unit exists shall occupy either the primary or second unit. All utilities including, sewer, water, garbage, gas and electricity, shall be under the name of the property owner.

17.64.12 Wireless Telecommunication Equipment

The purpose of this section is to provide uniform standards for the desired design, placement, permitting, and monitoring of telecommunication facilities consistent with applicable federal requirements. The standards are intended to address adverse visual impacts and operational effects of these facilities through appropriate design, siting, screening techniques and locational standards while providing for the communication needs of residents, local businesses, and government agencies. Wireless telecommunication facilities include, residential & commercial TV antennae and satellite antennae; public safety facilities, telecommunication facilities accessory to public equipment for data acquisition such as irrigation controls, well monitoring and traffic signal controls, telecommunication facilities erected for emergency situations and/or public information coverage with a duration of less than 7 days, satellite Earth Station facilities not exceeding two meters in diameter or in diagonal measurement and television & AM/FM radio antennae for commercial purposes, and monopoles and lattice towers.

The following location criteria and development standards shall apply to all wireless telecommunications equipment.

- A. With the exception of monopole and lattice tower facilities, all wireless lattice towers shall not be permitted within 1,000 feet of an existing tower.

17.64.13 Large Family Day Care Homes, Nursery Schools and Day Care Centers

Large family day care homes serving fewer than 14 children, the State Department of Social Welfare licenses nursery schools, and day care centers. Such care is specifically suitable for comprehensive, enriched partial or full day care for children between the ages of three and five years and for children needing after-school care who would benefit from large group contact. Large family day care homes, nursery schools, and day care centers shall have a minimum of:

- A. Thirty-five square feet of unencumbered indoor space per child;
- B. An adequate fence between adjoining properties; and
- C. Seventy-five square feet of unencumbered outdoor space per child.
- D. The facilities may also be subject to other requirements, such as the California Health and Safety Code, the California Administrative Code, and the Uniform Building Code;
- E. Large family day care homes, nursery schools and day care centers shall secure a conditional use permits consistent with Chapter 17.52 Conditional Use Permits.