

**CITY OF OROVILLE ORDINANCE  
No. 1880**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE AMENDING  
SECTION 17.16.150, 17.32.010, 17.34.020, AND 17.36.010 OF THE OROVILLE  
MUNICIPAL CODE REGARDING MOBILE FOOD VENDING**

**WHEREAS** mobile food vendors and mobile food vendor villages are popular eating uses which provide economic opportunities throughout California; and

**WHEREAS** the City of Oroville Municipal Code Section 17.16.150 currently contains few regulations to protect public safety or protect adjacent properties from activities generated by single mobile food trucks and multiple food trucks at one location; and

**WHEREAS** the City of Oroville Planning Commission held a workshop on a draft mobile food vendor village ordinance on September 28, 2023; and

**WHEREAS** the City of Oroville Planning Commission held a public hearing on November 16, 2023, on proposed modifications to Section 17.16.150 et al of the City of Oroville Municipal Code, received public comment, and recommended adoption by the City Council of a Notice of Exemption for said modifications and the modifications themselves; and

**WHEREAS**, at a duly noticed public hearing on February 6, 2024, the City Council considered the recommendation of the Planning Commission, property owners, and members of the public who are potentially affected by the changes described herein, and considered the City's staff report regarding the proposed Amendment; and

**WHEREAS**, on February 6, 2024, the City Council adopted the Notice of Exemption, and requested staff to explore restrictions on mobile food vendors to protect existing retail businesses that sell ready-to-eat food or beverages for on-premises or off-premises consumption, and to return to the City Council with recommendations.

**The Council of the City of Oroville do ordain as follows:**

**Section 1. Findings.** The City Council of the City of Oroville adopts and finds as true and correct the aforementioned recitals and incorporates them herein as findings.

**Section 2. Amendment to the City Code.** Section 17.16.150, Section 17.32.010, Section 17.34.020, and Section 17.36.010 of the Oroville Municipal Code are amended as indicated in Exhibit 1 of this Ordinance.

**Section 3.** This ordinance shall become effective on June 1, 2024, or 30 days after the second reading is approved, whichever comes later.

**Section 4.** The City Clerk shall attest to the adoption of this ordinance.


PASSED AND ADOPTED by the City Council of the City of Oroville at a regular meeting held on May 21, 2024, by the following vote:

**AYES:** Council Member(s) Johnstone, Thomson, Goodson, Webber, Vice Mayor Smith, Mayor Pittman

**NOES:** None

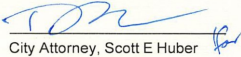
**ABSENT:** Council Member Riggs

**ABSTAIN:** None

A handwritten signature in blue ink, appearing to read "David Pittman", written over a horizontal line.

Mayor, David Pittman

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Scott E Huber", written over a horizontal line.

City Attorney, Scott E Huber

ATTEST:

A handwritten signature in blue ink, appearing to read "Kayla Reaster", written over a horizontal line.

Assistant City Clerk, Kayla Reaster

## EXHIBIT 1

### **17.16.150 Mobile food vending**

A. Purpose. The purpose of these regulations is to promote the health, safety, comfort, convenience, prosperity, and general welfare by requiring that new and existing mobile food vendors provide the community and customers with a minimum level of cleanliness, quality and security. These regulations differentiate the difference between a single mobile food vendor at one location, and multiple mobile food vendors at one location.

Single mobile vendors may be permitted to operate by administrative permit approval on private property as shown in Allowable Use Table 17.32.010-1 for commercial zones, Table 17.34.010-1 for mixed use zones, and Table 17.36.010-1 for industrial zones. Uses are subject to the following regulations.

Mobile food vending villages may be permitted to operate by Minor Use Permit on private property as shown in Allowable Use Table 17.32.010-1 for commercial zones, Table 17.34.010-1 for mixed use zones, and Table 17.36.010-1 for industrial zones. Uses are subject to the following regulations. Mobile food vending villages on city owned property other than public rights-of-way are exempt from the requirement for a Minor Use Permit but must comply with the same regulations as mobile food vending villages contained in this Section.

#### **B. Definitions.**

1. Mobile Food Vendor (MFV). Any food service establishment designed to be readily movable, that sells food or drinks by means of a motorized or nonmotorized vehicle, such as a catering truck, food truck, or other itinerant method, for a period of at least 30 minutes in a single location in which food or drinks are heated or otherwise prepared and then sold. It also includes a nonmotorized vehicle which is not self-propelled or which cannot be moved by a person pushing or pulling such nonmotorized vehicle. Mobile food vendor shall not mean a "sidewalk vendor" as defined by Government Code Sections 51036 to 51039 (SB956) or an ordinance adopted by the city regarding sidewalk vendors.
2. Mobile food vending villages (MFVV) are defined as more than one mobile food vending vehicle stationary on a private property for more than one hour at a time.
3. Vending stations are defined as the motorized or nonmotorized vehicle the mobile food vendor uses to sell food.

**C. Permit requirements for all mobile food vendors, including mobile food vending villages.**

1. A single mobile food vendor at any one location shall be required to obtain an administrative permit as provided in this chapter. The permit application shall include the authorization of each property owner where the mobile food vendor intends to vend.
2. **Business Tax Certificate.** Every mobile food vendor shall obtain a Business Tax Certificate prior to operation.
3. **Butte County Environmental Health.** A valid permit from the Butte County Environmental Health Department is required and shall be displayed at the mobile food vending vehicle.
4. **Permit and license display.** At all times while vending, a valid business license shall be displayed at the mobile food vending vehicle.
5. All mobile food vendors shall always display a current business tax certificate and the health department permit in plain view on the exterior of the vending station. In addition, the mobile food vendor shall always have a letter of permission from the owner of the subject property available in the mobile food vehicle.
6. Only nine (9) mobile food vendors shall be permitted on East Highway 162 (Oro Dam Boulevard and Olive Highway). Any existing City issued mobile food vendor permits located on Highway 162 as of the date this ordinance becomes effective shall expire 180 days after the effective date of this ordinance (see also paragraph H below). No new mobile food vendors shall be permitted within 500 hundred feet of the Highway 162 right-of-way line.
7. All mobile food vendors shall be located a minimum of 500 feet from the property line of a parcel where any retail business that sells ready-to-eat food or beverages for on-premises or off-premises consumption is located. The only exception is mobile food vendors owned and operated by the same food retail business operating on that same parcel.
8. All mobile food vendors shall be located a minimum of 500 feet from the property line of a parcel located in the Downtown Historic Overlay.
9. Hours of operation for mobile food vendors shall be between 6:00 a.m. and 10:00 p.m.
10. The vending station shall always be maintained in good operating condition.
11. The vending station shall not include a permanent foundation or other feature that would constitute an improvement to real property.

12. The vending station shall not discharge any materials onto the sidewalk, gutter, or storm drains.
13. All mobile food vending shall be conducted entirely upon private property and not within any public right-of-way.
14. On developed lots, mobile food vendors shall not operate in parking spaces required to meet minimum parking requirements for any other business on the subject site, block any parking required to adequately serve other businesses, or any driveways or aisles for vehicular circulation on the subject site.
15. All mobile food vendors shall maintain a 10-foot minimum setback from the property lines and public sidewalks, curbs, and gutters.
16. Mobile food vendors shall keep the subject property and adjacent right-of-way free of litter within 200 feet of the vehicle.
17. All refuse shall be removed from the site and properly disposed of daily.
18. All mobile vendors shall provide covered garbage, recycling, and compost containers as required by the Butte County Environmental Health Department. No garbage, recycling, and compost containers will be permitted to remain on-site unless stored within a solid storage structure.
19. No single mobile vendor shall use, play, or employ any sound outcry, amplifier, loudspeaker, radio or any other instrument or device to produce sound in connection with the promotion of a vending operation.
20. Signage for single mobile food vendors shall be located on the vending equipment and is subject to the requirements of City of Oroville Municipal Code, Chapter 17.20, Signs.
21. No mobile food vendor shall sell alcoholic beverages, non-food items, cannabis products, illegal drugs, adult-oriented material depicting, describing, or relating to sexual activities, and any other products prohibited by local, state and federal laws.
22. After the permitted hours of operation, all mobile food vendors located on undeveloped property shall move their mobile food vending equipment and trash containers, including the mobile vehicle itself, off-site or within an approved, enclosed structure on site. Mobile food vendors located on the same property as their commissary may store their vehicles overnight on the same property.
23. Mobile food vendors shall not encroach on a public sidewalk or curb with any part of a vehicle, wagon, trailer or truck or any other equipment related to the operation of the business.

#### **D. Standards for Mobile Food Vendor Villages**

Minor Use Permit. Mobile food vending villages shall require the approval of a Minor Use Permit (MUP). The approval shall be specific to a location and shall not be transferable to other locations or operators. The permit application shall include the authorization of each property owner where the mobile food vendor intends to vend. Operation of a mobile food vending village shall not be permitted pursuant to California Senate Bill No. 946, as specified in Government Code Sections 51036 – 51039, Sidewalk Vendors.

1. No more than three mobile food vendor villages shall be approved at one time within the city limits, except groups of mobile food vendors approved in conjunction with a special event permit or located on city owned property.
2. All mobile food vendor villages shall be located a minimum of one mile apart as measured from the property line on which there is an existing or proposed mobile food vending village to the property line on which there is an existing or proposed mobile food vending village.
3. No mobile food vendor villages shall be permitted within 500 hundred feet of the Highway 162 right-of-way line.
4. All mobile food vendor villages shall be located a minimum of 500 feet from the property line of a parcel where any retail business that sells ready-to-eat food or beverages for on-premises or off-premises consumption is located.
5. All mobile food vendor villages shall be located a minimum of 500 feet from residential zones.
6. Hours of operation for mobile food vendor villages shall be between 6:00 a.m. and 10:00 p.m., or as specified in the Minor Use Permit conditions of approval for that site.
7. Applications for mobile food vending villages shall include the location and description of any proposed outdoor dining area, including tables, chairs, and shade structures.
8. If the proposed location is on an unimproved property, the area that the mobile food vendors will be parked on in addition to associated customer parking shall be paved or chip-sealed or other types of surfaces deemed appropriate. The requirements of Municipal Code Section 17.12.070, Parking shall be met for customer parking. Other hard surfaces may be approved by the Zoning Administrator in the conditions of approval for the Minor Use Permit.
9. Mobile food vendor villages shall be permitted a maximum of two A-frame signs subject to the requirements of the Oroville Municipal Code, Chapter 17.20, Signs.

10. No more than two hundred (200) square feet within a mobile food vendor village site or on property adjacent to a mobile food vendor village site shall be occupied by musical instruments, equipment, amplifiers, or bandstand. No music is allowed if there are less than two mobile food vendors at the site while music is being played or amplified.
11. No temporary or permanent chairs, tables, shade structures or other site furniture is permitted except as specified in the Mobile Food Vendor Village Minor Use permit conditions of approval. Shade structures may require prior approval from the Fire Department dependent on shade structure size and materials.
12. Building Division and Fire Department. All necessary permits and approvals from the Building Division and the Fire Department shall be obtained prior to operation of a mobile food vending village.
13. Individual mobile food vendors within a mobile food vendor village shall maintain their immediate sales location in a clean and hazard-free condition.
14. Optional on-site storage structures may be permitted as conditioned within the Minor Conditional Use permit. All structures shall be placed on a concrete foundation. Building permits shall be issued for the structures as determined by the City Building Code. One metal storage container no larger than 200 square feet may be placed on-site for use by the mobile food vendors. The storage container shall always be painted a dull beige color or as specified within the conditions of approval of the MUP. Any graffiti painted on the storage container shall be repainted with the base wall color within forty-eight (48) hours' notice by the City to the property owner by the property owner. A deposit of \$5,000.00 shall be deposited with the City Finance Department prior to placing the metal storage container on-site to guarantee that the container(s) will be removed from the site when the mobile food vendor use on the site discontinues for more than thirty (30) days.
15. To prevent the activities of the mobile food vendor village from intruding onto the public street or adjacent properties, the Zoning Administrator may determine that permanent or temporary barriers shall be installed along street frontages or property lines based on the location of the proposed mobile food vendor village. Any barrier shall be installed and maintained by the property owner. Failure to maintain the barrier shall be reason for revocation of the MUP if the property owner fails to remedy the barrier condition within fourteen (14) days of receiving written notice from the city to repair/replace the designated barrier.

**E. Penalties and Fines**

Any violation of this section by any individual holding a valid mobile food vendor permit is punishable as follows:

First Violation	Administrative Fine of \$100
Second Violation Within One Year of First	Administrative Fine of \$200
Each Addition Violation within One Year of First	Administrative Fine of \$500
Fourth and Subsequent Violations	Revocation of Permit

Any person found vending without a mobile food vending permit shall immediately cease vending and the activity is punishable by the following in lieu of the administrative fines set forth above:

First Violation	Administrative Fine of \$250
Second Violation Within One Year of First	Administrative Fine of \$500
Each Addition Violation within One Year of First	Administrative Fine of \$1,000

**F. Approvals.** All City issued mobile food vendor permits (administrative, ministerial, or conditional use permit approval) issued after the effective date of this ordinance shall be valid for a period of one year from the date of approval. Any existing City issued mobile food vendor permits as of the date this ordinance becomes effective shall expire 180 days after the date of the effective date of this ordinance. All mobile food vendors must apply for a new mobile food vendor permit within 180 days of the effective date of this ordinance and comply with all regulations in this Section.

**G. Revocation** An administrative permit may be modified or revoked by the Zoning Administrator, pursuant to Oroville Municipal Code Section 17.48.020 should the conditions in that section apply. A MUP may be modified or revoked by the Planning Commission pursuant to Oroville Municipal Code Section 17.48.010.F should the conditions in that Section apply.



**Table 17.32.010-1 relating to Commercial districts is amended to read:**

§ 17.32.010. Allowed uses in commercial districts.

The uses allowed in commercial districts shall be as shown in Table 17.32.010-1. These uses include:

- A. **Permitted Use (P).** Uses that are shown with a "P" shall be permitted, subject to obtaining a zoning clearance, as provided in Section 17.48.030 (Zoning clearances) of this title, as well as any building permits or other permits required by this Code.
- B. **Administrative Permit Required (AP).** Uses that are shown with an "AP" shall be subject to obtaining an administrative permit, as provided in Section 17.48.020 (Administrative permits) of this title.
- C. **Use Permit Required (UP).** Uses that are shown with a "UP" shall be subject to obtaining a use permit, as provided in Section 17.48.010 (Use permits) of this title.
- D. **Use-Specific Regulations (S).** Uses that are shown with an "S" shall be subject to permit requirements as provided in the specific regulations for that use. The table indicates where the use-specific regulations are located in this Code.
- E. **Use Not Allowed (-).** Uses that are shown with a "-", or that are not listed, shall not be allowed, except as provided in Sections 17.08.090 (Interpretation regarding allowable uses of land) and 17.48.090 (Nonconforming uses and structures) of this title.

**Table 17.32.010-1  
Allowed Uses in Commercial Districts**

**Key**

- P** Permitted use, subject to zoning clearance
- AP** Administrative permit required
- UP** Use permit required
- S** See use-specific regulations for permit requirement
- Use not allowed

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
<b>Local Food Uses</b>							
Neighborhood food and beverage sales	AP	AP	AP	AP	AP	AP	17.16.220 (Neighborhood food and beverage sales)
Urban agriculture	S	S	S	S	S	S	17.16.230 (Urban agriculture)

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
<b>Public Assembly</b>							
Carnival, circus or fair	AP	AP	AP	AP	AP	UP	17.16.060 (Temporary uses and buildings)
Commercial recreational facility-indoor, 10,000 square feet or less of gross floor area	UP	P	P	P	UP	-	-
Commercial recreational facility-indoor, more than 10,000 square feet of gross floor area	-	UP	P	UP	UP	-	-
Commercial recreational facility-outdoor	-	UP	P	-	UP	-	-
Concert or performance	AP	AP	AP	AP	AP	-	17.16.060 (Temporary uses and buildings)
Library or museum	-	UP	UP	UP	UP	UP	-
Meeting facility—10,000 square feet or less of gross floor area	P	P	P	UP	UP	P	-
Meeting facility—more than 10,000 square feet of gross floor area	-	UP	P	-	UP	UP	-
Park or playground	UP	UP	UP	UP	UP	UP	-
School, public	-	P	P	UP	UP	UP	-
School, private	-	P	P	-	-	UP	-
Training facility	-	UP	UP	-	-	UP	-
<b>Residential</b>							
Caretaker residence	UP	UP	UP	UP	UP	-	-
Family day care, large	S	S	S	S	S	-	17.16.050 (Family day care homes)
Family day care, small	P	P	P	P	P	-	17.16.050 (Family day care homes)
Home occupation, low-impact	P	P	P	-	-	-	17.16.040 (Home occupations)
Home occupation, moderate-impact	AP	AP	AP	-	-	-	17.16.040 (Home occupations)
Residential care facility—6 units or fewer	P	P	P	P	P	-	-

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
Residential care facility —7 units or more	-	-	-	-	-	-	-
<b>Retail</b>							
Alcoholic beverage sales	UP	UP	UP	-	-	-	-
Building supply	-	-	P	-	P	-	-
Cannabis retail	-	-	-	-	-	-	-
Equipment and machinery sales or rental	-	-	P	-	P	-	-
Drive-through establishment— pharmacy	P	P	P	P	P	-	17.16.080 (Drive-through establishments)
Drive-through establishment—all other uses	UP	UP	UP	UP	UP	-	17.16.080 (Drive-through establishments)
Farmers' market	AP	AP	AP	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Food and beverage sales—10,000 square feet or less of gross floor area	P	P	P	P	P	-	-
Food and beverage sales—10,001 to 40,000 feet of gross floor area	UP	P	P	UP	-	-	-
Food and beverage sales—more than 40,000 square feet of gross floor area	-	P	P	UP	-	-	-
Funeral merchandise sales	-	UP	UP	-	-	UP	-
Gas station	-	UP	P	P	P	-	17.16.070 (Gas stations)
General retail—10,000 square feet or less of gross floor area	P	P	P	P	P	-	-
General retail—10,001 to 40,000 feet of gross floor area	UP	P	P	UP	P	-	-

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
General retail—more than 40,000 square feet of gross floor area	-	UP	P	UP	UP	-	-
Mobile food vendor	AP	AP	AP	AP	AP	AP	17.16.150 (Mobile food vending)
<b>Mobile Food Vendor Village</b>	<b>UP</b>	<b>UP</b>	<b>UP</b>	-	<b>UP</b>	-	<b>17.16.150 (Mobile food vending)</b>
Pet store	UP	UP	UP	-	-	-	17.16.120 (Animal keeping)
Plant nursery or garden supply store	UP	P	P	P	-	-	-
Restaurant or café	P	P	P	P	P	-	-
Seasonal holiday agricultural sales	AP	AP	AP	AP	AP	-	17.16.060 (Temporary uses and buildings)
Shopping center	UP	UP	P	UP	UP	-	-
Smoke shop	UP	UP	UP	UP	UP	UP	17.16.190 (Smoke shops)
Vehicle sales—automobile, new	-	UP	P	UP	P	-	-
Vehicle sales—all other	-	-	UP	UP	UP	-	-
<b>Services</b>							
Animal grooming	UP	UP	UP	-	-	-	17.16.120 (Animal keeping)
Animal keeping, noncommercial	P	P	P	P	P	-	17.16.120 (Animal keeping)
Bank or financial service	P	P	P	-	P	P	-
Bed and breakfast	UP	P	P	P	-	-	-
Business support service	P	P	P	P	P	P	-
Cannabis testing	-	-	-	-	-	-	-
Car wash	-	UP	P	P	P	-	17.16.090 (Car and vehicle washes)
Catering service	-	P	P	-	P	-	-
Child day care center	P	P	P	UP	UP	-	-
Gym	P	P	P	-	P	-	-
Hospital	-	UP	UP	-	-	-	-

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
Hotel or motel	-	UP	P	UP	UP	-	-
Instructional or production studio	P	P	P	-	P	P	-
Kennel	-	-	UP	-	UP	-	17.16.120 (Animal keeping)
Mortuary	-	UP	UP	UP	P	UP	-
Office—professional	P	P	P	-	P	P	-
Office—all other	P	P	P	-	P	P	-
Outpatient services	UP	P	P	-	-	-	-
Personal services—low-impact	P	P	P	P	P	-	-
Personal services—moderate-impact	UP	UP	UP	UP	UP	-	-
Recreational vehicle (RV) park	-	-	UP	P	UP	-	-
Substance abuse counseling	-	-	P	-	P	-	-
Temporary real estate office	AP	AP	AP	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Temporary uses not listed here	S	S	S	S	S	S	17.16.060 (Temporary uses and buildings)
Veterinarian	UP	UP	P	-	P	-	17.16.120 (Animal keeping)
<b>Manufacturing, Wholesale, Repair and Storage</b>							
Food or beverage production	-	UP	UP	-	UP	-	-
Landscape material sales	-	UP	UP	-	P	-	-
Manufacturing—20,000 square feet or less of gross floor area	-	UP	P	-	P	P	-
Manufacturing—more than 20,000 square feet of gross floor area	-	-	UP	-	UP	UP	-
Metalwork—20,000 square feet or less of gross floor area	-	UP	UP	P	P	UP	-

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
Metalwork—more than 20,000 square feet of gross floor area	-	-	UP	UP	UP	UP	-
Mini-storage facility	S	S	S	-	S	-	17.16.060 17.44.060 (MS-O-Mini-storage overlay)
Outdoor storage—250 square feet or less	P	P	P	P	P	P	17.16.140 (Outdoor storage)
Outdoor storage—more than 250 square feet	UP	UP	P	UP	P	UP	17.16.140 (Outdoor storage)
Recycling facility or center	-	UP	P	-	P	-	-
Repair service, large equipment— 20,000 square feet or less of gross floor area	UP	UP	P	P	P	-	-
Repair service, large equipment—more than 20,000 square feet of gross floor area	-	-	UP	UP	UP	-	-
Repair service, small appliances	P	P	P	-	P	-	-
Research laboratories	-	-	UP	-	UP	UP	-
Scrap or dismantling yard	-	-	-	-	UP	-	-
Vehicle service or repair	-	UP	P	P	P	-	-
Warehousing	-	-	-	-	P	-	-
<b>Transportation and Infrastructure</b>							
Parking garage or lot as primary use	UP	UP	P	-	UP	UP	-
Public safety facility	UP	UP	UP	UP	UP	UP	-
Solar energy system, Tier 1	P	P	P	P	P	P	17.16.180 (Solar energy systems)
Solar energy system, Tier 2	AP	AP	AP	AP	AP	AP	17.16.180 (Solar energy systems)
Solar energy system, Tier 3	UP	UP	UP	UP	UP	UP	17.16.180 (Solar energy systems)
Utility building or substation	P	P	P	P	P	P	-

Land Use	Zoning Districts						Use-Specific Regulations
	CN	C-1	C-2	CH	CLM	OF	
Vehicle depot	-						

(Ord. 1749 § 4; Ord. 1763 §§ 18, 23, 24, 26; Ord. 1769 § 9; Ord. 1775 § 7; Ord. 1778 § 4; Ord. 1784 § 7; Ord. 1794 § 2; Ord. 1819 § 7, 2017; Ord. 1830 § 6, 2018; Ord. 1834 § 4, 2019; Ord. 1850 § 3, 2021)

**Table 17.34.020-1 relating to Mixed Use districts is amended to read:**

Table 17.34.020-1 shows the uses allowed in the mixed-use districts. These uses include:

- A. **Permitted Use (P).** Uses shown with a "P" are permitted by-right with zoning clearance approval. See Section **17.48.030** (Zoning clearances).
- B. **Administrative Permit Required (AP).** Uses shown with an "AP" require an administrative permit. See Section **17.48.020** (Administrative permits).
- C. **Use Permit Required (UP).** Uses shown with a "UP" require a use permit. See Section **17.48.010** (Use permits).
- D. **Use-Specific Regulations (S).** Uses shown with an "S" must comply with specific regulations for that use. The table identifies the section number for the use-specific regulations.
- E. **Use Not Allowed (-).** Uses shown with a "-" or that are not listed, are not allowed.

**Table 17.34.020-1: Allowed Uses in Mixed-Use Districts**

**Key**

- P** Permitted use, subject to zoning clearance
- AP** Administrative permit required
- UP** Use permit required
- S** See use-specific regulations for permit requirement
- Use not allowed

Land Use	Zoning Districts			Use-Specific Regulations
	MXD	MXN	MXC	
<b>Local Food Uses</b>				
Neighborhood food and beverage sales	AP	AP	AP	17.16.220 (Neighborhood food and beverage sales)
Urban agriculture	S	S	S	17.16.230 (Urban agriculture)
<b>Public Assembly</b>				
Carnival, circus or fair	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Commercial recreational facility—indoor, 10,000 square feet or less of gross floor area	UP	UP	P	
Commercial recreational facility—indoor, more than 10,000 square feet of gross floor area	UP	UP	UP	
Commercial recreational facility—outdoor	-	-	UP	
Concert or performance	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Library or museum	UP	UP	UP	
Meeting facility—10,000 square feet or less of gross floor area	P	P	P	
Meeting facility—more than 10,000 square feet of gross floor area	UP	UP	P	
Park or playground	UP	UP	UP	
School, public	UP	UP	UP	
School, private	UP	UP	UP	
Training facility	UP	UP	UP	
<b>Residential [1]</b>				
Caretaker residence	UP	UP	-	
Family day care, large	S	S	S	17.16.050 (Family day care homes)
Family day care, small	P	P	P	17.16.050 (Family day care homes)
Home occupation, low-impact	S	S	S	17.16.040 (Home occupation)



Home occupation, moderate-impact	S	S	S	17.16.040 (Home occupation)
Mixed-use development	P	P	P	17.16.030 (Mixed-use development)
Multiple-family dwellings [1]	-	P	P	
Residential care facility—6 units or fewer	P	P	P	
Residential care facility—7 units or more	UP	UP	-	
<b>Retail</b>				
Alcoholic beverage sales	UP	UP	UP	
Building supply	-	-	-	
Equipment and machinery sales or rental	-	-	-	
Drive-through establishment—pharmacy	-	-	UP	17.16.080 (Drive-through establishments)
Drive-through establishment all other uses	-	-	UP	17.16.080 (Drive-through establishments)
Farmers market	AP	AP	AP	
Food and beverage sales—10,000 square feet or less of gross floor area	P	P	P	
Food and beverage sales—10,001 to 40,000 square feet of gross floor area	UP	P	P	
Food and beverage sales—more than 40,000 square feet of gross floor area	UP	UP	P	
Funeral merchandise sales	UP	UP	UP	
Gas station	-	-	UP	17.16.070 (Gas stations)
General retail—10,000 square feet or less of gross floor area	P	P	P	
General retail—10,001 to 40,000 feet of gross floor area	UP	P	P	
General retail—more than 40,000 square feet of gross floor area	-	UP	UP	

Land Use	Zoning Districts			Use-Specific Regulations
	MXD	MXN	MXC	
Mobile food vendor	AP	AP	AP	17.16.150 (Mobile food vending)
Mobile food vendor village	-	UP	UP	17.16.150 (Mobile food vending)
Pet store	UP	UP	UP	17.16.120 (Animal keeping)
Plant nursery or garden supply store	UP	UP	P	
Restaurant or café	P	P	P	
Seasonal holiday agricultural sales	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Shopping center, 1,000 square feet or less of gross floor area	P	P	P	
Shopping center, 1,000 square feet or greater of gross floor area	P	UP	P	
Smoke shop	UP	UP	UP	17.36.010 (Allowed uses in industrial districts)
Vehicle sales—automobile, new	-	-	P	
Vehicle sales—all other	-	-	UP	
<b>Services</b>				
Animal grooming	UP	UP	UP	17.16.120 (Animal keeping)
Animal keeping, noncommercial	P	P	P	17.16.120 (Animal keeping)
Bank or financial service	P	P	P	
Bed and breakfast	P	P	P	
Business support service	P	P	P	
Car wash	-	UP	UP	17.16.090 (Car and vehicle washes)
Catering service	P	P	P	
Child day care center	P	P	P	
Gym	P	P	P	
Hospital	-	-	-	
Hotel or motel	UP	-	UP	

Land Use	Zoning Districts			Use-Specific Regulations
	MXD	MXN	MXC	
Instructional or production studio	P	-	P	
Kennel	-	-	UP	17.16.120 (Animal keeping)
Mortuary	UP	-	UP	
Office—professional	P	P	P	
Office—all other	P	P	P	
Outpatient Services	UP	UP	UP	
Personal services—low-impact	P	P	P	
Personal services—moderate-impact	UP	UP	UP	
Temporary real estate office	AP	AP	AP	17.16.060 (Temporary uses and buildings)
Temporary uses not listed here	S	S	S	17.16.060 (Temporary uses and buildings)
Veterinarian	UP	UP	P	17.16.120 (Animal keeping)
<b><i>Manufacturing, Wholesale, Repair, and Storage</i></b>				
Food or beverage production	UP	-	UP	
Landscape material sales	-	-	UP	

Land Use	Zoning Districts			Use-Specific Regulations
	MXD	MXN	MXC	
Manufacturing—20,000 square feet or less of gross floor area	UP	-	UP	
Metalwork—10,000 square feet or less of gross floor area	UP	-	UP	
Mini-storage facility	-	-	-	17.44.060 (MS-O: mini-storage overlay)
Outdoor storage—250 square feet or less	-	-	P	17.16.140 (Outdoor storage)
Outdoor storage—more than 250 square feet	UP	UP	UP	17.16.140 (Outdoor storage)
Repair service, large equipment—20,000 square feet or less of gross floor area	-	-	UP	
Repair service, small appliances	P	P	P	
<b><i>Transportation and Infrastructure</i></b>				
Parking garage or lot as primary use	UP	UP	UP	
Public safety facility	UP	UP	UP	
Solar energy system, Tier 1	P	P	P	17.16.180 (Solar energy systems)
Solar energy system, Tier 2	AP	AP	AP	17.16.180 (Solar energy systems)
Solar energy system, Tier 3	UP	UP	UP	17.16.180 (Solar energy systems)
Utility building or substation	P	P	P	

**Note:**

[1] Residential uses in the downtown mixed-use district are permitted only on upper stories above ground floor commercial uses.

(Ord. 1819 § 8, 2017; Ord. 1830 § 7, 2018)

**Table 17.36.010-1 relating to Industrial districts is amended to read:**

The uses allowed in industrial districts shall be as shown in Table 17.36.010-1. These uses include:

A. **Permitted Use (P).** Uses that are shown with a “P” shall be permitted, subject to obtaining a zoning clearance, as provided in Section 17.48.030, as well as any building permits or other permits required by this Code.

B. **Administrative Permit Required (AP).** Uses that are shown with an “AP” shall be subject to obtaining an administrative permit, as provided in Section 17.48.020.

C. **Use Permit Required (UP).** Uses that are shown with a “UP” shall be subject to obtaining a use permit, as provided in Section 17.48.010.

D. **Use-Specific Regulations (S).** Uses that are shown with an “S” shall be subject to permit requirements as provided in the specific regulations for that use. The table indicates where the use-specific regulations are located in this Code.

E. **Use Not Allowed (—).** Uses that are shown with a “—,” or that are not listed, shall not be allowed, except as provided in Sections 17.08.090 and 17.48.090.

**Table 17.36.010-1**

**Allowed Uses in  
Industrial Districts**

Land Use	Zoning Districts			Use-Specific Regulations
	AB P	M-1	M-2	
<i>Public Assembly</i>				
Carnival, circus or fair	AP	AP	AP	17.16.060
Commercial recreational facility	—	UP	UP	
Concert or performance	AP	AP	AP	17.16.060
Library or museum	—	UP	UP	
Meeting facility	—	UP	UP	
Park or playground	—	UP	UP	
Training facility	UP	P	P	
	<b>Zoning Districts</b>			
<b>Land Use</b>	<b>ABP</b>	<b>M-1</b>	<b>M-</b>	<b>Use-Specific</b>

			2	Regulations
<b>Residential</b>				
Caretaker dwelling unit	P	P	P	
<b>Retail</b>				
Adult-oriented business	—	S	S	17.16.110
Building supply	—	UP	UP	
Cannabis retail	—	—	—	
Drive-through establishment	—	UP	UP	17.16.080
Equipment and machinery sales or rental	—	UP	P	
Farmers market	AP	AP	AP	17.16.060
Food and beverage sales—10,000 sq. ft. or less of gross floor area	P	P	P	
Food and beverage sales—more than 10,000 sq. ft. of gross floor area	—	—	—	
Gas station	—	UP	UP	17.16.070
General retail—10,000 sq. ft. or less of gross floor area	UP	UP	UP	
General retail—more than 10,000 sq. ft. of gross floor area	—	UP	UP	
Mobile food vendor	—	S	S	17.16.150
Mobile food vendor village	UP	UP	UP	17.16.050
Plant nursery or garden supply store	—	UP	UP	
Restaurant or café	UP	UP	UP	
Seasonal holiday agricultural sales	AP	AP	AP	17.16.060
Smoke shop	—	UP	UP	17.36.010
Vehicle sales	—	UP	UP	
<b>Services</b>				
Business support service	P	P	P	
Car wash	—	UP	UP	

Catering service	—	UP	UP	
<b>Zoning Districts</b>				
<b>Land Use</b>	<b>ABP</b>	<b>M-1</b>	<b>M-2</b>	<b>Use-Specific Regulations</b>
Child day care	UP	UP	UP	
Instructional or production studio	—	P	P	
Kennel	—	UP	UP	17.16.120
Marijuana dispensary	—	—	—	
Office—professional	P	UP	UP	
Office—all other	P	UP	UP	

Outpatient services	—	—	—	
Substance abuse counseling	—	—	—	
Temporary real estate office	AP	AP	AP	17.16.060
Temporary uses not listed here	S	S	S	17.16.060
Veterinarian	—	P	P	17.16.120
<b>Manufacturing, Wholesale, Repair and Storage</b>				
Cannabis cultivation	—	—	—	
Cannabis distribution	—	—	—	
Cannabis manufacturing	—	—	—	
Cannabis microbusiness	—	—	—	
Cannabis nursery	—	—	—	
Cannabis testing	—	—	—	
Food or beverage production	—	UP	P	
Landscape material sales	—	UP	P	
Manufacturing—40,000 sq. ft. or less of gross floor area	P	P	P	
Manufacturing—more than 40,000 sq. ft. of gross floor area	UP	UP	P	
Metalwork—40,000 sq. ft. or less of gross floor area	P	P	P	
Metalwork—more than 40,000 sq. ft. of gross floor area	UP	UP	P	
Mini-storage facility	—	S	S	17.44.060
Outdoor storage—500 sq. ft. or less	P	P	P	17.16.140
Outdoor storage—more than 500 sq. ft.	UP	P	P	17.16.140
Recycling facility or center	—	P	P	
Repair service, large equipment	P	P	P	

Land Use	Zoning Districts			Use-Specific Regulations
	ABP	M-1	M-2	
Repair service, small appliances	P	P	P	
Research laboratory	UP	P	P	
Scrap or dismantling yard	—	—	UP	
Vehicle services and repair	—	P	P	
Warehousing	P	P	P	
Wholesaling and distribution	UP	P	P	
<b><i>Agricultural and Resource-Based Uses</i></b>				
Surface mining	—	—	UP	Chapter 15.92
<b><i>Transportation and Infrastructure</i></b>				
Parking garage or lot as primary use	—	UP	UP	
Public safety facility	P	P	P	
Solar energy system, Tier 1	P	P	P	17.16.180 (Solar energy systems)
Solar energy system, Tier 2	AP	AP	AP	17.16.180 (Solar energy systems)
Solar energy system, Tier 3	UP	UP	UP	17.16.180 (Solar energy systems)
Utility building or substation	P	P	P	
Vehicle depot	—	P	P	

(Ord. 1749 § 4; Ord. 1759 § 1; Ord. 1769 § 10; Ord. 1775 § 8; Ord. 1778 § 5; Ord. 1784 § 8; Ord. 1794 § 2; Ord. 1819 § 9, 2017; Ord. 1830 § 8, 2018; Ord. 1834 § 5, 2019)